



**TMGT 454 Contracts and Specifications
Course Syllabus: Fall 2012
Web Based**

Instructor: Nilo Tsung, CEng, PE, PhD
Assistant Professor
Department of Engineering & Technology

Office Location: Charles J. Austin Industrial Engineering & Technology Building, Room 204

Office Hours: Tuesday and Thursday
1:30 – 4:00 PM or by appointment

This is a web based course. Instructor will be available via email throughout the day, Monday – Friday and on the weekends. Times will vary but email will be checked on a regular basis.

Office Phone: 903-886-5464

Office Fax: 903-886-5960

University Email Address: Nilo.Tsung@tamuc.edu

COURSE INFORMATION

Materials – Textbooks and Supplementary Readings:

Textbook(s) Required: Collier, K. (2001). *Construction contracts* (3rd ed.). Upper Saddle River, New Jersey: Prentice-Hall, Inc. ISBN 0-13-755927-5.

Reference Materials: Kelleher Jr., T. J., & Walters, G. S. (2009). *Smith, Currie & Hancock's common sense construction law: a practical guide for the construction professional* (4th ed.). New York City: John Wiley & Sons Inc. ISBN 047023136x

Course Description:

Credits: Three (3) semester hours

Students in this class will study the basic knowledge of construction contracts and specifications. In addition, some aspects of construction management directly relevant to legal systems in the US and in foreign countries such as those in East Asia will be included.

Prerequisite: Consent of instructor

Student Learning Outcomes:

1. Learn the fundamentals of legal systems in construction.
2. Understand different kinds of construction contracts.
3. Know why one kind of contracts should be used rather than another.
4. Learn contract administration such as claims and disputes, change orders and progress payments.

5. Study the current trend toward alternative project delivery systems via contractual arrangements such as design-build and construction management at risk.
6. Understand potential legal issues associated with alternative project delivery systems.
7. Study how to recognize the possibilities of construction disputes.
8. Investigate how to avoid the possibilities of construction disputes via alternative dispute resolution (ADR).
9. Understand potential possibilities of construction disputes and how to resolve them in foreign countries.
10. Demonstrate the ability to review and make construction contracts and specifications.

COURSE REQUIREMENTS

Instructional Assessments

This is an online course which utilizes facilitated lectures, discussions, and a series of assignments to assist students in achieving the course learning outcomes.

Grammar, spelling, and demonstrated organization of thought will be considered in the grading of all assignments. Writing by students will be evaluated based on its readability, correctness, coherency, conciseness, and relevance to the topics. All assignments should be done by using Microsoft Word.

Homework assignments: (20% of total course grade)

Student Learning Outcomes #1, #2, #3, #4, #5, #6, #7, #8, #9

Homework will be assigned regularly to help students grasp the essence of lecture materials. Students will be asked to answer questions from the textbook or write summaries for contemporary legal cases. These cases can be found in ASCE's *Civil Engineering* magazines and others.

Assessment Method: Homework assignments will be given throughout the semester and be graded based on their readability, correctness, coherency, conciseness, and relevance to the topics. Each homework assignment will be 10 points. Students should work independently unless otherwise specified by the instructor.

Discussions: (20% of total course grade)

Student Learning Outcomes #1, #2, #3, #4, #5, #6, #7, #8, #9, #10

Each student is required to be an active and engaged participant in discussion forums. The discussion forums are related to chapter readings and/or lecture notes and will occur throughout the semester.

Assessment Method: Each discussion forum grade will be based upon content, timeliness, and quality of the responses, as well as the level of participation.

Response to posted discussion topic (5 points)

- 5 points: Response demonstrates a detailed analysis of the topic and uses sources other than textbook (when appropriate) to support position. **External sources must be properly cited.**
- 3-4 points: Response demonstrates some level of analysis of the topic and links readings and/or other course activities to support position.
- 1-2 points: Response demonstrates a limited level of analysis of the topic.
- 0 points: Response demonstrates minimal to no level of analysis of the topic.

Students are expected to be engaged in the discussion throughout the week, including a posted response to the initial question as well as responding to other student's responses (NOT just "I agree statements").

Mid-term exam: 100 points (30% of total course grade)

Student Learning Outcomes #1, #2, #3, #4, #5

Students should work independently.

Final exam: 100 points (30% of total course grade)

Student Learning Outcomes #10

Students should work independently.

Grading

Homework	20%
Discussion forums	20%
Mid-term exam	30%
Final exam	30%
Total points possible for semester	100 points

90 – 100 points	A
80 – 89 points	B
70 – 79 points	C
60 – 69 points	D
< 60 points	F

A grade of "0" will be assigned to late assignments, unless prior arrangements are worked out with the instructor. The instructor has the final decision on whether late work will be accepted. Late penalties will be assessed to any approved late work.

TECHNOLOGY REQUIREMENTS

This is a web based course. The following technologies will be required for this course.

- Internet access / connection – high speed recommended (not dial-up)
- Microsoft Word

ACCESS AND NAVIGATION

This course is delivered by Texas A&M University – Commerce through the eCollege course management system. To get started with the course, go to:

<https://leo.tamu-commerce.edu/login.aspx>.

You will need your CWID and password to log in to the course. If you do not know your CWID or have forgotten your password, contact Technology Services at 903.468.6000

COMMUNICATION AND SUPPORT

Interaction with Instructor Statement:

The communication tools used in this course will be Email and eCollege Announcements. Students should communicate with the instructor through the course email tool or directly

to the email address provided in this syllabus. The instructor will communicate with students via email through their myLeo email address.

Students can expect to receive a response to emails within 48 hours after the email was sent to the instructor. In most cases, the response time will be shorter.

If at any time you experience technical problems (e.g., you can't log in to the course, you can't see certain material, etc.) please contact the eCollege HelpDesk, available 24 hours a day, seven days a week. The HelpDesk can be reached by at helpdesk@online.tamuc.org or by calling (toll-free) 1-866-656-5511.

COURSE AND UNIVERSITY PROCEDURES/POLICIES

Course Specific Procedures:

Academic Dishonesty

Texas A&M University-Commerce will not condone plagiarism in any form. Plagiarism represents disregard for academic standards and is strictly against University policy. Plagiarized work can result in a "0" on a given assignment(s) or an "F" for the course as well as further administrative sanctions permitted under University policy. You may discuss course work and other course materials with fellow students (except during tests), but it is inappropriate to have another student do your course work or provide you with any portion of it.

Guidelines for properly quoting someone else's writings and the proper citing of sources can be found in the APA Publication Manual. If you do not understand the term "plagiarism", or if you have difficulty summarizing or documenting sources, contact your professor for assistance.

University Specific Procedures:

ADA Statement

The Americans with Disabilities Act (ADA) is a federal anti-discrimination statute that provides comprehensive civil rights protection for persons with disabilities. Among other things, this legislation requires that all students with disabilities be guaranteed a learning environment that provides for reasonable accommodation of their disabilities. If you have a disability requiring an accommodation, please contact:

Office of Student Disability Resources and Services

Texas A&M University-Commerce

Gee Library 132

Phone (903) 886-5150 or (903) 886-5835

Fax (903) 468-8148

StudentDisabilityServices@tamuc-commerce.edu

[Student Disability Resources & Services](#)

Student Conduct

All students enrolled at the University shall follow the tenets of common decency and acceptable behavior conducive to a positive learning environment. (See *Code of Student Conduct from Student Guide Handbook*).

Students are expected to attend all class periods and to be prepared for each class. Students are expected to refrain from any disruptive behaviors during class, which includes but is not limited to working on assignments/projects from another course, reading non-course materials, or using the computer for non-class purposes. Cell phones, iPods, and other electronic devices should be turned off during class.

NOTE: No assignment will be graded until the Student Academic Honesty Policy has been read, signed, and submitted.

COURSE OUTLINE / CALENDAR

Week (mm/dd - mm/dd)	Topic	Contents and Reading
Week 1 (8/27 - 8/31)	- Course introduction - Academic honesty / Plagiarism* - Chapter 1.1: The nature of contracts	- Course syllabus - "A Tutorial on Plagiarism" Video - Textbook 1.1.1 – 1.1.5
Week 2 (9/3 - 9/7)	- Chapter 1.2: Construction contracts - Chapter 1.3: Stipulated-sum contracts - Chapter 1.4: Cost-plus-fee contracts	- Textbook 1.2.1 – 1.2.13 - Textbook 1.3.1 – 1.3.7 - Textbook 1.4.1 – 1.4.9
Week 3 (9/10 - 9/14)	- Chapter 1.5: Unit-price contracts - Chapter 1.6: Contracts with quantities - Chapter 1.7: Other conditions of contracts	- Textbook 1.5.1 – 1.5.7 - Textbook 1.6.1 – 1.6.7 - Textbook 1.7.1 – 1.7.7
Week 4 (9/17 - 9/21)	- Chapter 1.8: Subcontracts and supply contracts - Chapter 1.9: Arrangements of contracts for construction - Chapter 1.10: Design-build contracts	- Textbook 1.8.1 – 1.8.8 - Textbook 1.9.1 – 1.9.10 - Textbook 1.10.1 – 1.10.5
Week 5 (9/24 - 9/28)	- Chapter 2.1: Documents for contracts - Chapter 2.2: Bidding for contracts - Chapter 2.3: Negotiating construction contracts	- Textbook 2.1.1 – 2.1.11 - Textbook 2.2.1 – 2.2.14 - Textbook 2.3.1 – 2.3.5
Week 6 (10/1 - 10/5)	- Chapter 3.1: An introduction to administration of contracts - Chapter 3.2: Information for contract administration and construction - Chapter 3.3: Administration of contracts	- Textbook 3.1.1 - Textbook 3.2.1 – 3.2.6 - Textbook 3.3.1 – 3.3.4
Week 7 (10/8 - 10/12)	- Chapter 3.4: Claims and disputes - Chapter 3.5: Changes in the work of contracts - Chapter 3.6: Contract time	- Textbook 3.4.1 – 3.4.4 - Textbook 3.5.1 – 3.5.4 - Textbook 3.6.1. – 3.6.3
Week 8 (10/15 - 10/19)	- Chapter 3.7: Completion of contracts and payments - Chapter 3.8: The uncovering and correction of work in contracts Mid-term exam	- Textbook 3.7.1 – 3.7.6 - Textbook 3.8.1 – 3.8.6
Week 9 (10/22 - 10/26)	- Alternative project delivery systems via contractual arrangement such as design-build and construction management at risk	- On-line posted reading materials
Week10 (10/29 - 11/2)	- Legal issues related to alternative project delivery systems	- On-line posted reading materials
Week 11 (11/5 - 11/9)	- How to recognize the possibilities of construction disputes based on contracts	- On-line posted reading materials
Week 12 (11/12 - 11/16)	- alternative dispute resolution (ADR)	- On-line posted reading materials
Week 13 (11/19 - 11/23)	- How to avoid the possibilities of construction disputes via alternative dispute resolution (ADR)	- On-line posted reading materials
Week 14 (11/26 - 11/30)	- Global projects, emerging construction markets, and potential rivalries - Cultural differences and potential conflicts - Legal systems in different countries	- On-line posted reading materials
Week 15 (12/3 - 12/7)	- How to avoid and/or resolve construction disputes in different countries - Review how to review and make good construction contracts and specifications	- On-line posted reading materials
Week 16 (12/10 - 12/14)	Final exam	