

GUJARAT TECHNOLOGICAL UNIVERSITY
M E (Civil) CONSTRUCTION ENGINEERING AND MANAGEMENT

MAJOR ELECTIVES-II

CONSTRUCTION CONTRACTS MANAGEMENT

Objectives:

To make students aware of legal aspects of construction projects, of construction contract, of issues related to contract administration. To expose students of various disputes resolution techniques including arbitration.

Course content:

Introduction to law, Indian legal system.

Laws governing structure & Working of Construction Organisation Firms.

Laws of Tort.

Evaluation of contract documents, need for documents, present stage of national and international contract documents, types of construction contracts, roles and functions of parties to the contract.

Stages in contracting: Preparation of tender documents estimating, pre-qualification, bid evaluation, award of contract, project financing and contract payments, contracts close out and completion.

Contract conditions: interpretation by parties to contract, obligations and responsibilities of the parties, protection and indemnification, bonds and insurance, laws and liens, subsurface conditions, inspection of work, change of work, rejected work and deficiencies.

Office Engineering: Proper record keeping in contract administering, establishment of standard procedures, coordination between various agencies involved, providing data for interpretation of contract clauses.

Special aspects of contract management.

ARBITRATION

Comparison of Actions and Laws-Agreements ,subject matter-Violations-Appointment of Arbitrators-Conditions of Arbitrations-Powers and duties of Arbitrator-Rules of Evidence-Enforcement of Award-costs. Causes and resolution of disputes, settlement of claims and extra items, arbitration.

Indian Contract Act, Arbitration Act.

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Tutorials on

- (1) Study of one building contract.
- (2) Study of tender filling procedure by taking one sample tender- part1
- (3) Study of tender filling procedure by taking one sample tender- part2
- (4) Study of tender opening procedure and study of contract clauses.
- (5) Study of legal & technical interpretation of contract clauses.
- (6) Record keeping on construction projects _ case study by visit of any construction project site office & study of live documents maintained.
- (7) Study of types of disputes on construction projects.
- (8) Study of minimum two disputes resolution by arbitration.

References

- (i) Explanation of Indian Contract Act: Mulla and Sanjeeva Rao, B.D. Virmani, B.T.Gajaria.
- (ii) Handbook of Contracts: Hudson.
- (iii) Construction Contracting, Clough Richarch , John Wiley & Sons, New York, 1986.
- (iv) Construction Contract Management , Prakash V.A., NICMAR, BOMBAY