



# GUJARAT TECHNOLOGICAL UNIVERSITY

Program Name: Master of Engineering

Level: PG

Branch: Construction Engineering and Management

Subject Code: ME02014011

Subject Name: Construction Contracts and Law

w.e.f. Academic Year:	2024-25
Semester:	2
Category of the Course:	Professional Core Course

## Course Outcome:

After Completion of the Course, Student will able to:

No.	Course Outcomes
01	Attain knowledge about contracts, types of contracts, contract documents and roles and functions of parties involved in a contract.
02	Understand the legal meaning of contract and implications.
03	Learn the common methods of dispute resolution in Indian scenario and understand difference between Alternative Dispute Resolution Methods and Litigation
04	Obtain basic understanding of Arbitration and Conciliation Act 1996, Law of Contract 1872 and its application in dispute resolution pertaining to construction contracts.
05	Be aware of common and regulatory laws to manage a construction project.

## Teaching and Examination Scheme:

Teaching Scheme(in Hours)			Total Credits L+T+(PR/2)	Assessment Pattern and Marks				Total Marks
L	T	PR		C	Theory		Tutorial/Practical	
			ESE (E)		PA/ CA (M)	PA/CA(I)	ESE (V)	
3	0	2	4	70	30	20	30	150



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## Course Content:

Unit No.	Content	No. of Hours	% of Weightage
1	<b>CONSTRUCTION CONTRACTS :</b> Concept of contract, types of Tenders and contracts, Bidding models and Bidding strategies, joint venture, merging, acquisition, features and suitability, design of contract documents, international contract document, standard contract document, Concession agreements, law of torts, Indian contract act 1872, Introduction to various standard forms of contract such as FIDIC, JCT and NEC.	12	27
2	<b>CONTRACTS CLAUSES AND TERMS AND CONDITIONS:</b> Potential contractual problems, Importance of Clauses and various Terms and Conditions of Contract, Rules of interpretation of contract clauses.	12	27
3	<b>CONSTRUCTION CLAIMS, DISPUTES AND ALTERNATIVE DISPUTE RESOLUTION</b> Sources of claims and disputes, construction claims procedure, methods of Arbitration / dispute resolution, alternative dispute resolution method, comparison of actions and laws, agreements, subject matter, violations, Arbitration and Conciliation act 1996 and recent amendments in 2015, Delay analysis, case studies, professional ethics, duties and responsibilities of parties.	10	23
4	<b>INTERNATIONAL CONSTRUCTION CONTRACTS :</b> Type of contracts, surety bonds, time provisions, safety clause, insurance, Employer's Liability Policy, Builder's risk, Foreign corrupt practice Act, rate of inflation, use of local labor, Differences in Ethic, languages and culture.	10	23
	<b>Total</b>	<b>44</b>	<b>100</b>



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## Suggested Specification Table with Marks (Theory):

Distribution of Theory Marks					
R Level	U Level	A Level	N Level	E Level	C Level
20	30	30	10	10	0

Where R:Remember; U:Understanding; A:Application, N:Analyze and E:Evaluate C:Create(as per Revised Bloom's Taxonomy)

## References/Suggested Learning Resources:

1. Jimmie W Hinze (2013) Construction Contracts, 3rd Edition. McGraw Hill.
2. Indian Contract Act 1872.
3. Arbitration Act (1996) (with amendment 2015)
4. Bhatt, V and Vyas, P (2015) Laws for Engineers (Contract, Arbitration, Evidence, Limitations), Second Edition, Procare.
5. Ramaswamy, B S (2005) Contracts and their Management, Lexis Nexis Butterworths.
6. Murdoch, J and Hughes, W (2002) Construction Contracts, Spon Press.
7. Ross, A and Williams, P (2013) Financial Management in Construction Contracting, Wiley-Blackwell.
8. Patil, B.S., "Building and Engineering Contracts" Mrs. S.B. Patil, Pune.
9. Fenn, P (2012) Commercial Conflict Management and Dispute Resolution, Spon Press.
10. Murdoch, John and Hughes Will (2007) Construction Contracts: Law and Management, Taylor and Francis.

## Suggested Tutorials / Students Activities :

1. Study of live Tender and Contract Document of Construction Project
2. Study of FIDIC Conditions of Contract
3. Study of Conditions of Contract of Various Contracts
4. Study of Arbitration / Dispute Resolution Procedure of Live Case
5. Study of International Contract Document
6. Construction Risk Management and Insurance : Various Insurance Policies in field of Construction such as Contractor's All Risk Policy, Construction Plant and Equipment Policy, Workmen Compensation Policy

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