



## **Module Specification**

### **Construction Procurement and Law**

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#### **Contents**

<b>Module Specification .....</b>	<b>1</b>
<b>Part 1: Information .....</b>	<b>2</b>
<b>Part 2: Description .....</b>	<b>2</b>
<b>Part 3: Teaching and learning methods .....</b>	<b>4</b>
<b>Part 4: Assessment.....</b>	<b>6</b>
<b>Part 5: Contributes towards .....</b>	<b>7</b>

## Part 1: Information

**Module title:** Construction Procurement and Law

**Module code:** UBLM41-15-M

**Level:** Level 7

**For implementation from:** 2023-24

**UWE credit rating:** 15

**ECTS credit rating:** 7.5

**College:** Faculty of Environment & Technology

**School:** FET Dept of Architecture & Built Environ

**Partner institutions:** None

**Field:** CONSTRUCTION AND PROPERTY

**Module type:** Module

**Pre-requisites:** None

**Excluded combinations:** None

**Co-requisites:** None

**Continuing professional development:** Yes

**Professional, statutory or regulatory body requirements:** None

## Part 2: Description

**Overview:** Construction Procurement involves a consideration of the traditional time, cost and quality aspects in a client's brief. A focus on best practice and innovation is included here. Many of the components of construction procurement have an underpinning in construction contract law and the twin emphasis of the module allows for coverage in the detail required for construction professionals.

**Features:** Not applicable

**Educational aims:** At the completion of this module, the student will be able to make informed decisions about risk apportionment, procurement method and contract strategy. In addition, students will be able to understand the legislative context of contracts, the framework and impact of other areas of law (including some international aspects) and the various means for resolving disputes.

**Outline syllabus:** The syllabus includes:

Historical Background, International Context and General Principles

Roles and Responsibilities of the Parties

Procurement and Contract Choice - What Does the Client Want?

Standard Forms of Contracts Compared and Contrasted: JCT, NEC, FIDIC

Risk Allocation and Legal Risk Management

Introduction to Procurement and its Contexts

Procuring Complex Projects

Procurement in the Narrow and Wider Senses

Whole Life Uses of Buildings and Procurement

Design Responsibility

Collateral Warranties and Novation of Professionals

Obligations under Tort

Recent Developments in Standard Form Contracting

Partnering type initiatives

Best Practice within Procurement in the Wider Sense

Future Directions within Procurement and Construction Law

Issues for the Supply Community and their Involvement

Obstacles to Progress within the International Context

### **Part 3: Teaching and learning methods**

**Teaching and learning methods:** This course can be studied either with attendance, or as a distance learning course. Students who attend can expect a range of teaching and learning methods to include lectures, seminars, and discussion groups using case study materials. Those taking this by distance learning will receive the same learning materials, and will, in addition expect to have regular on line attendance through tutorials conducted via the university's virtual learning environment. Use will also be made of the discussion facilities in Blackboard to ensure that distance learning students are actively engaged in their learning.

In the alternative to face-to-face, the module is delivered by way of a blended learning approach using live time collaborate on-line lectures as the centre piece for study and around which other student centred learning activities are employed including group work, recorded lectures, tutor hours and formative exercises. The live contact commitment is five fortnightly two hour sessions, Email discussion groups and virtual learning environments (VLEs) and other technology-aided means are also employed. It can also take place in a work-based setting.

The module will be delivered by means of a series of lectures and directed reading

examining the key principles and relevant legal criteria relating to a number of topics of importance to construction professionals by bringing together the contractual and strategic aspects of construction and commercial law. Face-to-face and/or online lectures will be used to enable students to support their own independent learning by exploring deeper practical and legal issues and receiving formative feedback.

Occasional speakers will be used to provide up to date material and context to the applications of the subject area.

**Module Learning outcomes:** On successful completion of this module students will achieve the following learning outcomes.

**MO1** Critically evaluate current practice and the legal framework within which construction procurement operates

**MO2** Critically examine new business processes, new ways of working and collaborative arrangements in the construction industry

**MO3** Analyse and critically reflect on the importance of law to the operation of the construction industry including the inter-connected aspects of socio-economic and legal outcomes

**MO4** Use and apply clauses from construction contracts to effectively manage risk in key aspects of building projects

**MO5** Critically evaluate the effectiveness of the different procurement strategies and methods available in meeting current challenges and customer needs

**MO6** Draw conclusions based on key literature and make appropriate recommendations fully based on the literature and teaching material on the appropriate tools and techniques to support the successful delivery of effective procurement

**Hours to be allocated:** 150

**Contact hours:**

Independent study/self-guided study = 128 hours

Face-to-face learning = 22 hours

Total = 150

**Reading list:** The reading list for this module can be accessed at [readinglists.uwe.ac.uk](https://rl.talis.com/3/uwe/lists/5E2548E5-8F01-6575-D6A0-10F564993EF9.html?lang=en-GB&login=1) via the following link <https://rl.talis.com/3/uwe/lists/5E2548E5-8F01-6575-D6A0-10F564993EF9.html?lang=en-GB&login=1>

## **Part 4: Assessment**

**Assessment strategy:** The Strategy:

The assessment strategy adopted by this module involves the student preparing a report requiring a detailed knowledge of construction contract practice in the fields of construction law and procurement.

It is important for the student to appreciate the depth of detail required in which construction contracts operate. There are formative tasks where the students are able to practice the core academic skills required.

The other requirement in the field is for the student to be able to explain the theory behind the law and put it across it layman's terms.

The design of the coursework will be such as to prevent plagiarism as it will involve reflection on student's practice and experience.

The Assessment:

Report (3000 word) - masters level report on the topic of construction procurement and law that would be suitable for dissemination to senior management in practice.

Resit Report - a similar brief to that described above, which may include some topic changes.

### **Assessment tasks:**

#### **Report (First Sit)**

Description: Report (3000 words/equivalent)

Weighting: 100 %

Final assessment: Yes

Group work: No

Learning outcomes tested: MO1, MO2, MO3, MO4, MO5, MO6

**Report (Resit)**

Description: Report (3,000 words)

Weighting: 100 %

Final assessment: Yes

Group work: No

Learning outcomes tested: MO1, MO2, MO3, MO4, MO5, MO6

**Part 5: Contributes towards**

This module contributes towards the following programmes of study:

BIM in Design, Construction and Operation [Frenchay] MSc 2023-24

Quantity Surveying [Frenchay] MSc 2023-24

Quantity Surveying [Frenchay] MSc 2023-24

Construction Project Management [Distance] MSc 2023-24

Construction Project Management [Distance] MSc 2023-24

Construction Project Management [Frenchay] MSc 2023-24

Construction Project Management [Frenchay] MSc 2023-24

BIM in Design, Construction and Operation [Frenchay] MSc 2023-24

Building Surveying [Frenchay] MSc 2023-24

Building Surveying [Frenchay] MSc 2022-23

Quantity Surveying [Frenchay] GradDip 2022-23

Quantity Surveying [Sep][PT][Frenchay][3yrs] GradDip 2021-22