

**Construction Management Department
California State University, Chico**

**CMGT 462 - Construction Contracts
Course Syllabus**

A. Prerequisites:

CMGT 460 - Legal Aspects of Construction

B. Meeting Time & Location:

CMGT 462-1 Class #3086 T/TH 12:30PM - 1:45PM Langdon, Room 204

CMGT 462-2 Class #3108 T/TH 2:00PM - 3:15PM Glenn, Room 125

C. Instructor:

Ken Albright kealbright@csuchico.edu

Office Hours: By appointment (via email) - T/TH 11:30AM - 12:15PM

Office Location: Langdon 101

D. Catalog Description:

This course reviews and analyzes, from the contractor's aspect, current contracting systems and documents utilized for construction contracts with particular attention to the recently (April 2012) released versions of the construction agreements published by the ConsensusDocs Coalition, an organization of 38 leading construction industry organizations. The course also examines the construction systems and documents employed for Caltrans projects, including the High Speed Rail project. The course reviews and analyzes the US Department of Labor Laws and the California Labor Code as these laws pertain to construction labor contracts, employment regulation, workers' compensation, and safety. 3 hours lecture. (021409)

Update for Fall 2019: The contract documents used will be the most recent version of ConsensusDocs plus the documents used by the California State University System. Instead of the High Speed Rail project, a current major project on the CSU Chico campus will be used.

E. Course Learning Outcomes (CLO):

Upon successful completion of this course, the student will be able to:

1. Working with a team, create and deliver a professional presentation based on research into a real-world situation that resulted from a disregard of or disagreement about a construction contract provision or a regulation. **(ACCE-SLO #2).**
2. Analyze ethical situations and defend a decision or action based on that evaluation. **(Direct Assessment: ACCE-SLO #6).**
3. Understand tactics used to mitigate risk in construction contracting. **(Direct Assessment: ACCE-SLO #13).**
4. Comprehend the legal implications of contract language related to the responsibilities of the various parties to a construction contract. **(Direct Assessment: ACCE-SLO #17).**
5. Understand that different versions of construction contract documents may benefit different parties to the contract.
6. Understand the risks imposed on the construction industry by regulatory agencies. **(Direct Assessment: ACCE-SLO #13).**

Student Learning Outcomes (SLO):

The American Council for Construction Education (ACCE) prescribes 20 Student Learning Outcomes (SLO) as Educational Objectives for an undergraduate degree program in Construction Management. For a list of these 20 SLOs visit the Chico State Department of Construction Managements website www.csuchico.edu/cm and the SLO link under ACCE Accreditation drop down menu.

The following SLOs are supported by this course in the form of I=Introduction, R=Reinforced, or DA-Direct Assessment:

- SLO 2 - Create oral presentations appropriate to the construction discipline (DA).
- SLO 6 - Analyze professional decisions based on ethical principles (DA).
- SLO 13 - Understand construction risk management.(DA).
- SLO 17 - Understand the legal implications of contract, common, and regulatory law to manage a construction project. (DA).

ACCE Direct Assessment Mapping:

SLO	CLO	Assessment Type	Week	Target
2	1	In-class presentation	13	85/73%
6	2	Exam 1	7	85/73%
13	3, 6	Exams 1, 2, 3	7, 12, 16	85/73%
17	4	Exams 1, 2, 3	7, 12, 16	85/73%

F. Course Resource Materials Requirements:

Textbook: There is no required textbook for this class. Reading material will be presented for the student, as required, via Blackboard.

Laptop Computer: A computer will be required for all quizzes and exams. There are no university provided computers in classroom so students **must bring a device to each class session.**

G. Course Requirements:

Conduct

You are adults and you will be treated and respected as such. You will be held accountable for your actions, decisions, and the consequences. I expect each of you to conduct yourself in a professional and mature manner, showing courtesy and respect for fellow students and the instructor. Please review the University's Disruptive Behavior policy under section M of this document.

Advisory Note!

- **During class time any disruptive or annoying behavior, outbursts, unbecoming language, or personal visiting during discussion time will result in you being asked to leave.**
- **Your personal agenda must be set aside during class time for the greater good of all your classmates.**

Honesty in the Classroom

You are expected to be familiar with the University's policy on academic integrity. As such, there will be no tolerance for dishonesty, sharing of work, and especially copied work. Ethical standards as established by the university will be strictly upheld (see THE UNIVERSITY CATALOG).

Tobacco Products

The use of any type of tobacco product (smokeless, chewable or otherwise) is not permitted in any building at California State University, Chico. If you chew tobacco products, please refrain during class time.

Electronic Devices

The use of pagers, phones, MP3 players and other electronic devices (excluding laptops) is not permitted in class. If you must take a call (work or emergency), please EXIT the classroom before answering the call.

Withdrawal from Class

Please refer to the Academic Calendar Deadlines as published in the University Catalog.

Professional Work

As a student looking towards gaining an internship within the construction industry, *it is expected that your completed work will be professional in presentation.* Consider this course as practice in presenting professional quality industry work to your future employer.

H. Instructional Methods:

This course is designed around the following methods of presenting material to the student:

1. Assigned readings are to be completed before each class session.
2. A quiz will be given at the beginning of each class to determine the level of understanding of the assigned readings. To allow for excused absences, the two lowest quiz scores will be dropped from the final grade. Use them wisely.
3. The class discussion will then focus on those areas of the readings that need reinforced.

I. Assignments:

There will be one team presentation assigned. This presentation will require outside research into a real-world situation that resulted from a disregard of or disagreement about one of the topics to be covered in the course.

The composition of the teams will be determined randomly during week 3 of the semester.

During week 5, the teams will submit their proposed presentation topic along with data sources to be used. As the team begins developing ideas about a presentation topic, it would be wise to discuss it with the instructor.

An outline of the presentation and the person responsible for each portion will be due in week 10.

The presentations will occur in week 14. All students not presenting will be submitting their evaluations of the presentations. Failure to attend the presentations will result in a reduction of that student's presentation score.

The team's score for the presentation will be a compilation of classmates' scores, the instructor's score, and any visitor scores.

Additionally, all members of each group will assign a percentage score to each of their fellow team members to derive a multiplier for each student. If one or more group members do not contribute to the group effort, their score for the presentation will be reduced by the multiplier. If all contribute equally, all will receive the full team score.

Readings

Readings are noted in the course calendar and will be available on Blackboard Learn. These reading form the basis of this course and are very important. All exam questions will be drawn from the reading except those covering the presentations. At the beginning of each session you will be tested on the content of the readings assigned for that session.

Group Work

You are encouraged to study and work in groups.

J. Assessments:

Assessments are the basis of determining your ability to create, analyze, apply, and understand the Course Learning Outcomes (CLO) and Student Learning Outcomes (SLO) provided by ACCE. Instructional target goals have been established (as noted above) and the results of the assessment in these areas will be used to determine the success of the student and instructor for this course.

Quizzes

Quizzes will be given based on the reading assignments. Quizzes will be given as posted in the course calendar. Quizzes will be taken in class, facilitated by Blackboard. **A computer or other device capable of accessing Blackboard will be required at each class session.** Quizzes will be timed. While they are open book and open note, you will likely NOT have time to research the answers during the time allowed for the quiz. The two lowest score quizzes will be dropped in the final grading.

Exams

There will be three exams. Exam 3 will not be comprehensive but will include material from the student presentations. Normally there will not be a make-up for anyone missing an exam. *If a student is unable to take an exam due to an emergency or illness, or is entitled to special dispensation **the instructor should be notified in advance.*** **Non-excused absences will yield a score of zero.** No makeup exams will be given, except for a serious and compelling reason as outlined by the University Catalog.

K. Grading/Evaluation:

All point totals shown are approximate and subject to revision during the course of the semester.

Evaluation	Number	Points each	Total Points	Percent of total
Quizzes*	20	5	100	14%
Exams 1 & 2	2	200	400	71%
Exam 3	1	100	100	
Presentation	1	100	100	14%
Total points			700	100%

*Lowest 2 quiz scores will be dropped

Grades are generally assigned by the following distribution, although the instructor reserves the right to modify the distribution.

A	94-100%	C+	77-79%
A-	90-93%	C	73-76%
B+	87-89%	C-	70-72%
B	83-86%	D	60-69%
B-	80-82%	F	<60%

L. Topical Outline:

Refer to the course work calendar posted on Blackboard Learn.

M. University Policies and Campus Resources:

Disruptive Behavior

Students are required to adhere to the behavior standards articulated in the Campus Policies and Code of Student Conduct, and to refrain from disrupting classes and other academic settings. "Disruptive behavior" means conduct that materially and substantially interferes with or obstructs the teaching or learning process in the context of a classroom or educational setting. Disruptive behavior includes conduct that distracts or intimidates others in a manner that interferes with instructional activities, fails to adhere to an instructor's appropriate classroom rules or instructions, or interferes with the normal operations of the University. Disruption in the classroom may include:

- Persistent speaking without permission.
- Side conversations.
- Excessive talking.
- Engaging in activities not related to the class, or other overt inattentiveness including but not limited to sleeping, talking to others, doing work for another class, checking e-mail, and exploring the Internet.
- Ringing cell phones or using a cell phone.
- Using mobile devices or laptop computers in the classroom for non-course related purposes.
- Eating/drinking in class without permission.
- Monopolizing class discussion and refusing to defer to instructor, or listen to others; persisting when the instructor has indicated that the student's remarks are off topic and it is time to move on.
- Chronically entering late/leaving early, moving about the classroom when not appropriate for the classroom activity.
- Filming, photographing, or taping the class without the instructor's prior permission.
- Disputing authority or arguing with faculty and other students.
- Yelling, arguing, swearing, bullying, or other harassing or intimidating behavior.
- Inappropriate, disrespectful, or uncivil responses to the comments, opinions, presentations, etc. of others in the classroom.
- Physically or verbally abusive conduct.
- Failure to adhere to the instructor's rules or instructions.
- Vulgar or obscene language, slurs or other forms of intimidation.
- Threats of any kind.
- Improper use of equipment, materials or resources.
- Destruction of property.
- Coming to class under the influence of alcohol or another controlled substance.
- Bringing individuals to class who are not enrolled, including infants/children.
- Any behavior that puts the health or safety of the instructor or other students in the classroom in jeopardy.

Academic integrity

Students are expected to be familiar with the University's Academic Integrity Policy and the University's policy on academic honesty. I take this issue very seriously, and will not tolerate any form of dishonesty such as plagiarism or cheating. Your own commitment to learning, as evidenced by your enrollment at California State University, Chico, and the University's Academic Integrity Policy requires you to be honest in all your academic course work. Faculty members are required to report all infractions to the Office of [Student Judicial Affairs](#). The policy on [academic integrity](#) and other resources related to student conduct can be found at the Student Judicial Affairs website.

Campus Policy in Compliance with the American Disabilities Act

If you need course adaptations or accommodations because of a disability, or if you need to make special arrangements in case the building must be evacuated, please make an appointment with me as soon as possible, or see me during office hours. The policy for Disability access and Compliance are found [here](#).

Special accommodations for exams require ample notice to the testing office and must be submitted to the instructor well in advance of the exam date.

Disability Services

Any student who feels s/he may need an accommodation based on the impact of a disability should contact me privately to discuss your specific needs. Students with disabilities requesting accommodations must register with the [ARC Office](#) (Accessibility Resource Center) to establish a record of their disability.

Student Learning Center

The mission of the [Student Learning Center](#) (SLC) is to provide services that will assist CSU, Chico students to become independent learners. The SLC prepares and supports students in their college course work by offering a variety of programs and resources to meet student needs. The SLC facilitates the academic transition and retention of students from high schools and community colleges by providing study strategy information, content subject tutoring, and supplemental instruction. The University Writing Center has been combined with the Student Learning Center.

N. Other:

Title IX: Confidentiality and Mandatory Reporting

As an instructor, one of my responsibilities is to help create a safe learning environment on our campus. I also have a mandatory reporting responsibility related to my role as an instructor. It is my goal that you feel able to share information related to your life experiences in classroom discussions, in your written work, and in our one-on-one meetings. I will seek to keep information you share private to the greatest extent possible. **However, I am required to share information regarding sexual misconduct with the University.** Students may speak to someone confidentially by contacting the [Counseling and Wellness Center](#) or [Safe Place](#).

