BLCN28003 *Construction Contract Administration*

Term 1 - 2023

Profile information current as at 12/10/2024 02:08 pm

All details in this unit profile for BLCN28003 have been officially approved by CQUniversity and represent a learning partnership between the University and you (our student).The information will not be changed unless absolutely necessary and any change will be clearly indicated by an approved correction included in the profile.

General Information

Overview

In Construction Contract Administration you will be introduced to the principles of law, contract administration, and dispute resolution in the construction industry. In this unit, you will investigate a range of issues and claims arising in the construction process. In particular, you will develop an understanding of certain general conditions and legal concepts relevant to contracts such as unjust enrichment, frustration, waiver, estoppel, and specific performance. You will also gain knowledge of alternative dispute resolution methods and become familiar with the Building and Construction Industry Security of Payment Act.

Details

Career Level: *Postgraduate*
Unit Level: *Level 8*
Credit Points: *6*
Student Contribution Band: *8*
Fraction of Full-Time Student Load: *0.125*

Pre-requisites or Co-requisites

There are no requisites for this unit.
Important note: Students enrolled in a subsequent unit who failed their pre-requisite unit, should drop the subsequent unit before the census date or within 10 working days of Fail grade notification. Students who do not drop the unit in this timeframe cannot later drop the unit without academic and financial liability. See details in the Assessment Policy and Procedure (Higher Education Coursework).

Offerings For Term 1 - 2023

- Brisbane
- Perth
- Sydney

Attendance Requirements

All on-campus students are expected to attend scheduled classes – in some units, these classes are identified as a mandatory (pass/fail) component and attendance is compulsory. International students, on a student visa, must maintain a full time study load and meet both attendance and academic progress requirements in each study period (satisfactory attendance for International students is defined as maintaining at least an 80% attendance record).

Website

This unit has a website, within the Moodle system, which is available two weeks before the start of term. It is important that you visit your Moodle site throughout the term. Please visit Moodle for more information.

Class and Assessment Overview

Recommended Student Time Commitment

Each 6-credit Postgraduate unit at CQUniversity requires an overall time commitment of an average of 12.5 hours of study per week, making a total of 150 hours for the unit.

Class Timetable

Regional Campuses
Bundaberg, Cairns, Emerald, Gladstone, Mackay, Rockhampton, Townsville

Metropolitan Campuses
Adelaide, Brisbane, Melbourne, Perth, Sydney

Assessment Overview

1. **Written Assessment**
Weighting: 30%
2. **Research Assignment**
Weighting: 50%
3. **Online Test**
Weighting: 20%

Assessment Grading

This is a graded unit: your overall grade will be calculated from the marks or grades for each assessment task, based on the relative weightings shown in the table above. You must obtain an overall mark for the unit of at least 50%, or an overall grade of 'pass' in order to pass the unit. If any 'pass/fail' tasks are shown in the table above they must also be completed successfully ('pass' grade). You must also meet any minimum mark requirements specified for a particular assessment task, as detailed in the 'assessment task' section (note that in some instances, the minimum mark for a task may be greater than 50%). Consult the University's Grades and Results Policy for more details of interim results and final grades.

CQUniversity Policies

All University policies are available on the CQUniversity Policy site.
You may wish to view these policies:

- Grades and Results Policy
- Assessment Policy and Procedure (Higher Education Coursework)
- Review of Grade Procedure
- Student Academic Integrity Policy and Procedure
- Monitoring Academic Progress (MAP) Policy and Procedure – Domestic Students
- Monitoring Academic Progress (MAP) Policy and Procedure – International Students
- Student Refund and Credit Balance Policy and Procedure
- Student Feedback – Compliments and Complaints Policy and Procedure
- Information and Communications Technology Acceptable Use Policy and Procedure

This list is not an exhaustive list of all University policies. The full list of University policies are available on the CQUniversity Policy site.

Previous Student Feedback

Feedback, Recommendations and Responses

Every unit is reviewed for enhancement each year. At the most recent review, the following staff and student feedback items were identified and recommendations were made.

Feedback from CQU Sute Student Feedback

Feedback

Although the thematic content of this subject is complicated, this unit provides clear examples explained in simple terms to complement the theory.

Recommendation

The learning and teaching will continue to link theory and practice with clear examples that student can relate to and learn about the Australian construction industry.

Feedback from CQU Sute Student Feedback

Feedback

Students appreciated developing understanding of topics from different perspectives, connecting their personal experiences with real world contexts.

Recommendation

This unit will continue to provide active learning connections between the students' knowledge and interests and the diverse areas of construction contract administration in industry practice.

Feedback from CQU Sute Student Feedback

Feedback

Students enjoyed the interactive classes, which incorporate students’ work and academic experiences with the learning content.

Recommendation

Students are encouraged to actively participate in live discussions during classes to better understand the learning content, develop their professional communication skills and network with other students in the group.

Unit Learning Outcomes

On successful completion of this unit, you will be able to:

1. Critically analyse and reflect using cognitive and creative skills on legal concepts and their application for the construction industry
2. Identify optimum contractual solutions using Australian Standards general conditions of contract
3. Evaluate and interpret commonly used contract price and project delivery options to enable the procurement of complex construction projects
4. Formulate and apply available remedies to construction contract disputes
5. Evaluate and interpret the complexity of issues associated with identifying and selecting the different types of insurances used for construction projects.

Alignment of Learning Outcomes, Assessment and Graduate Attributes

— N/A Level • Introductory Level • Intermediate Level • Graduate Level ◦ Professional Level ◦ Advanced Level

Alignment of Assessment Tasks to Learning Outcomes

Assessment Tasks	Learning Outcomes				
	1	2	3	4	5
1 - Written Assessment - 30%	•	•			
2 - Research Assignment - 50%			•	•	•
3 - Online Test - 20%	•	•	•	•	•

Alignment of Graduate Attributes to Learning Outcomes

Graduate Attributes	Learning Outcomes				
	1	2	3	4	5
1 - Knowledge	◦	◦			
2 - Communication		◦			◦
3 - Cognitive, technical and creative skills	◦		◦	◦	◦
4 - Research			◦	◦	◦
5 - Self-management					
6 - Ethical and Professional Responsibility				◦	◦
7 - Leadership					
8 - Aboriginal and Torres Strait Islander Cultures					

Alignment of Assessment Tasks to Graduate Attributes

Assessment Tasks	Graduate Attributes							
	1	2	3	4	5	6	7	8
1 - Written Assessment - 30%	◦	◦	◦					
2 - Research Assignment - 50%		◦	◦	◦		◦		
3 - Online Test - 20%	◦				◦			

Textbooks and Resources

Textbooks

BLCN28003

Prescribed

Contract Administration for Construction Professionals
Edition: 1 (2022)
Authors: Coggins, J., Schwarz, S., Davies, M., and Ma, T.
LexisNexis Australia
www.lexis.com.au , www.lexis. , Australia
ISBN: 978-0- 9043- 5084-5
Binding: eBook
BLCN28003

Prescribed

Fundamentals of building contract management
Edition: 2nd (2009)
Authors: Uher, T. E., Uher, T., & Davenport, P.
UNSW Press
Sydney , NSW , Australia
ISBN: 9781742230214, 174223021
Binding: eBook

Additional Textbook Information
Textbooks can be accessed online at the CQUniversity Library website. Access may be limited. If you would prefer your own copy, purchase either paper or eBook versions at the CQUni Bookshop here: http://bookshop.cqu.edu.au (search on the Unit code)

View textbooks at the CQUniversity Bookshop

IT Resources

You will need access to the following IT resources:

- CQUniversity Student Email
- Internet
- Unit Website (Moodle)

Referencing Style

All submissions for this unit must use the referencing style: Harvard (author-date)
For further information, see the Assessment Tasks.

Teaching Contacts

Gesa Ruge Unit Coordinator
g.ruge@cqu.edu.au
Chamil Ramanayaka Unit Coordinator
c.ramanayaka@cqu.edu.au

Schedule

Week 1 - 06 Mar 2023

Module/Topic	Chapter	Events and Submissions/Topic

Introduction to contract administration and principles of construction contracts.	Recommended reading textbook Goldfayl, Chapter 1 and other resources provided on the weekly Moodle learning site.	Week 1 Unit introduction, learning and teaching activities and assessment for learning. The lecture and tutorial workshop provide an introduction to principles of law for construction contracts and underlying concepts.

Week 2 - 13 Mar 2023

Module/Topic	Chapter	Events and Submissions/Topic
Australian construction contracts, general conditions and special clauses.	Recommended reading textbook Goldfayl, Chapter 2 and other resources provided on the weekly Moodle learning site.	Week 2 lecture and tutorial workshop investigate the Australian construction contracts in terms of legal structure, standard forms, general conditions and special clauses. Introduction to Assessment 1 (30%), (ULO 1 and 2, GA 1,2,3). This assignment engages students in learning topics Week 1 to 4 and consists of: Part 1) Research, critical analysis and reflection on the contractual structures and contracts relevant to different types of construction projects (15%). Part 2) Analysis of project specific situations and application of relevant Australian standards form of contracts and clauses (10 %). Part 3) Learning reflection on topics week 1 to 4 (5%)

Week 3 - 20 Mar 2023

Module/Topic	Chapter	Events and Submissions/Topic
Contract administration across the project lifecycle.	Recommended reading textbook Goldfayl, Chapter 3 and other resources provided on the weekly Moodle learning site.	Week 4 lecture and tutorial workshop expand knowledge and skills in monitoring project progress and proactive engagement with the project team, sub-contractors and suppliers. Variations to contracts regarding time, cost, risk, quality and sustainability outcomes are explored. The tutorial workshop activities expand the lecture topic and support assignment 1 preparation.

Week 4 - 27 Mar 2023

Module/Topic	Chapter	Events and Submissions/Topic
Managing project progress, subcontractors and variations to contract	Recommended reading textbook Goldfayl, Chapter 5 and 6 and other resources provided on the weekly Moodle learning site.	Week 4 lecture and tutorial workshop expand knowledge and skills in monitoring project progress and proactive engagement with the project team, sub-contractors and suppliers. Variations to contracts regarding time, cost, risk, quality and sustainability outcomes are explored. The tutorial workshop activities expand the lecture topic and support assignment 1 preparation.

Week 5 - 03 Apr 2023

Module/Topic	Chapter	Events and Submissions/Topic

Skills development for effective contract administration	Revise reading and learning Week 1 to 4 and other resources provided on the Moodle learning site.	Week 5 lecture and tutorial review and reflect on the learnings of Week 1 to 4 and explore the skills and responsibilities of a contract administrator. Submission of Assignment 1 is due this week. Introduction to Assessment 2 (50%, ULO 3,4 and 5; GA 2,3,4 and 6). This major research assignment consists of :Part 1) Literature review and identification of key risks and opportunities for contract administration of Australian construction projects (25%). Part 2) Case study research and analysis with development of project specific recommendations (25%). **Assignment 1** Due: Week 5 Friday (7 Apr 2023) 11:59 pm AEST

Vacation Week - 10 Apr 2023

Module/Topic	Chapter	Events and Submissions/Topic
Lecture and Tutorial free Week		

Week 6 - 17 Apr 2023

Module/Topic	Chapter	Events and Submissions/Topic
Security of Payment Act	The relevant documents with additional reading and resources will be available on the Moodle learning site.	Week 6 lecture and tutorial workshop cover the Security of Payment Act and its determination of progress claims for construction contracts and subcontracts. The tutorial activities support Assignment 2 preparation.

Week 7 - 24 Apr 2023

Module/Topic	Chapter	Events and Submissions/Topic
Contractual conflict and Alternative Dispute Resolution	Recommended reading textbook Goldfayl, Part 2, Chapter 3 and 4, as well as resources provided on the weekly Moodle learning site.	Week 7 lecture and tutorial workshop investigate the contractual clauses related to contract negotiation and conflict resolution. Alternative dispute resolution pathways options are discussed. The tutorial workshop expands this topic and supports Assignment 2 preparation.

Week 8 - 01 May 2023

Module/Topic	Chapter	Events and Submissions/Topic
Litigation and arbitration processes	Recommended reading textbook Goldfayl, Part 2, Chapter 3 and 4, as well as resources provided on the weekly Moodle learning site.	Week 8 lecture week and tutorial analyse contractual clauses and construction project specific conditions arising through litigation, arbitration & alternative dispute resolution. The tutorial workshop activities support assignment 2 completion

Week 9 - 08 May 2023

Module/Topic	Chapter	Events and Submissions/Topic

Contract administration for project completion and post-construction	Recommended reading textbook Goldfayl, Part 4, Chapter 8 and 9, as well as resources provided on the weekly Moodle learning site.	Week 9 lecture and tutorial workshop explore the detailed aspects relevant for successful project completion, hand-over and post-construction contract administration. Assessment 2 is due this week. Introduction to Assessment 3 (20% ;ULO 1,2,3,4,5; GA 1, 5/6). This online test engages the student in applying industry relevant knowledge developed throughout this unit and consists of : Part1) Development of a project specific framework for on-site contract administration (10%). Part 2) Preparation for a project dispute resolution situation (5%). Part 3) Reflection on complex issue management and relevant skills for a contract administrator (5%) **Assignment 2** Due: Week 9 Friday (12 May 2023) 11:59 pm AEST
Week 10 - 15 May 2023		
Module/Topic	**Chapter**	**Events and Submissions/Topic**
Contract administration for project quality and reducing defects and liabilities	The relevant documents with additional reading and resources will be available on the weekly Moodle learning site.	Week 10 lecture and tutorial workshop explores a range of factors and contexts supporting project quality and reducing defects and liabilities. The tutorial workshop activities expand the lecture topics and supports Assignment 3 preparation.
Week 11 - 22 May 2023		
Module/Topic	**Chapter**	**Events and Submissions/Topic**
The role of the contract administrator: professional and ethical skills	Review reading and learning material covered in this unit.	Week 11 lecture and tutorial workshop review and reflect on the important role of the contract administrator as part of the construction project team and explores the professional and ethical skill sets involved. The tutorial workshop activities support students' skills development and continues assignment 3 towards completion.
Week 12 - 29 May 2023		
Module/Topic	**Chapter**	**Events and Submissions/Topic**
Unit Learning Revision	Review reading and learning material covered in this unit.	Week 12 Student led lecture and tutorial workshop to review and reflect on the learning and skills development in this unit. **Assignment 3** Due: Week 12 Friday (2 June 2023) 11:59 pm AEST
Review/Exam Week - 05 Jun 2023		
Module/Topic	**Chapter**	**Events and Submissions/Topic**
Exam Week - 12 Jun 2023		
Module/Topic	**Chapter**	**Events and Submissions/Topic**

Assessment Tasks

1 Assignment 1

Assessment Type
Written Assessment

Task Description
Assignment 1 (30%) (ULO 1 and 2, GA 1,2,3).
This assignment engages students in learning topics Week 1 to 4 and consists of:
Part 1) Research, critical analysis and reflection on the contractual structures and contracts relevant to different types of construction projects (15%)
Part 2) Analysis of project specific situations and application of relevant Australian standards form of contracts and clauses (10 %)
Part 3) Learning reflection on topics week 1 to 4 (5%)

Assessment Due Date
Week 5 Friday (7 Apr 2023) 11:59 pm AEST

Submission via Moodle unit site Turnitin

Return Date to Students
Week 7 Friday (28 Apr 2023)

via Unit Moodle site

Weighting
30%

Assessment Criteria
The assignment will be assessed on quality of work submitted, relevance and coherence to the specific question and tasks. This includes clear argumentation and use of quality references (in-text and bibliography). The content prepared is to expand beyond the learning material provided and demonstrates the student's development of the unit learning outcomes and graduate attributes. Students will work with a marking rubric for self-review and will receive formative and summative feedback.

Referencing Style

- Harvard (author-date)

Submission
Online

Submission Instructions
Submission via Moodle Unit Site

assessmentOutcome

- Critically analyse and reflect using cognitive and creative skills on legal concepts and their application for the construction industry
- Identify optimum contractual solutions using Australian Standards general conditions of contract

assessmentGradAttribute

- Knowledge
- Communication
- Cognitive, technical and creative skills

2 Assignment 2

Assessment Type
Research Assignment

Task Description
Major research assignment (50%, ULO 3,4 and 5; GA 2,3,4 and 6) consists of :
Part 1) Literature review and identification of key risks and opportunities for contract administration of Australian construction projects (25%)
Part 2) Case study research and analysis with development of project specific recommendations (25%)

Assessment Due Date
Week 9 Friday (12 May 2023) 11:59 pm AEST

Submission via Moodle Unit Site turnitin

Return Date to Students
Week 11 Friday (26 May 2023)

Via Moodle Unit Site

Weighting
50%

Assessment Criteria
The assignment will be assessed on quality of work submitted, relevance and coherence to the specific question and tasks. This includes clear argumentation and use of quality references (in-text and bibliography). The content prepared is to expands beyond the learning material provided and demonstrates the student's development of the unit learning outcomes and graduate attributes. Students will work with a marking rubric for self-review and receive formative and summative feedback.

Referencing Style

- Harvard (author-date)

Submission
Online

Submission Instructions
Submission via Moodle Unit Site

assessmentOutcome

- Evaluate and interpret commonly used contract price and project delivery options to enable the procurement of complex construction projects
- Formulate and apply available remedies to construction contract disputes
- Evaluate and interpret the complexity of issues associated with identifying and selecting the different types of insurances used for construction projects.

assessmentGradAttribute

- Communication
- Cognitive, technical and creative skills
- Research
- Ethical and Professional Responsibility

3 Assignment 3

Assessment Type
Online Test

Task Description
Assignment 3 (20% ; ULO 1,2,3,4,5; GA 1, 5/6) This assignment engages the student in applying knowledge and skills developed throughout this unit and consists of :
Part 1) Development of a project specific framework for on-site contract administration (10%)
Part 2) Preparation for a project dispute resolution situation (5%)
Part 3) Reflection on complex issue management and relevant skills for a contract administrator (5%)

Assessment Due Date
Week 12 Friday (2 June 2023) 11:59 pm AEST

Submission via Moodle Unit Site Turnitin

Return Date to Students
Exam Week Friday (16 June 2023)

via Moodle Unit Site

Weighting
20%

Assessment Criteria
The assignment will be assessed on quality of work submitted, relevance and coherence to the specific question and tasks. This includes clear argumentation and use of quality references (in-text and bibliography). The content prepared is to expands beyond the learning material provided and demonstrates the student's development of the unit learning outcomes and graduate attributes. Students will work with a marking rubric for self-review and receive formative and summative feedback.

Referencing Style

- Harvard (author-date)

Submission
Online

Submission Instructions
Submission via Unit Moodle Site

assessmentOutcome

- Critically analyse and reflect using cognitive and creative skills on legal concepts and their application for the construction industry
- Identify optimum contractual solutions using Australian Standards general conditions of contract
- Evaluate and interpret commonly used contract price and project delivery options to enable the procurement of complex construction projects
- Formulate and apply available remedies to construction contract disputes
- Evaluate and interpret the complexity of issues associated with identifying and selecting the different types of insurances used for construction projects.

assessmentGradAttribute

- Knowledge
- Self-management

Academic Integrity Statement

As a CQUniversity student you are expected to act honestly in all aspects of your academic work.

Any assessable work undertaken or submitted for review or assessment must be your own work. Assessable work is any type of work you do to meet the assessment requirements in the unit, including draft work submitted for review and feedback and final work to be assessed.

When you use the ideas, words or data of others in your assessment, you must thoroughly and clearly acknowledge the source of this information by using the correct referencing style for your unit. Using others' work without proper acknowledgement may be considered a form of intellectual dishonesty.

Participating honestly, respectfully, responsibly, and fairly in your university study ensures the CQUniversity qualification you earn will be valued as a true indication of your individual academic achievement and will continue to receive the respect and recognition it deserves.

As a student, you are responsible for reading and following CQUniversity's policies, including the **Student Academic Integrity Policy and Procedure**. This policy sets out CQUniversity's expectations of you to act with integrity, examples of academic integrity breaches to avoid, the processes used to address alleged breaches of academic integrity, and potential penalties.

What is a breach of academic integrity?
A breach of academic integrity includes but is not limited to plagiarism, self-plagiarism, collusion, cheating, contract cheating, and academic misconduct. The Student Academic Integrity Policy and Procedure defines what these terms mean and gives examples.

Why is academic integrity important?
A breach of academic integrity may result in one or more penalties, including suspension or even expulsion from the University. It can also have negative implications for student visas and future enrolment at CQUniversity or elsewhere. Students who engage in contract cheating also risk being blackmailed by contract cheating services.

Where can I get assistance?
For academic advice and guidance, the Academic Learning Centre (ALC) can support you in becoming confident in completing assessments with integrity and of high standard.

What can you do to act with integrity?

Be Honest
If your assessment task is done by someone else, it would be dishonest of you to claim it as your own

Seek Help
If you are not sure about how to cite or reference in essays, reports etc, then seek help from your lecturer, the library or the Academic Learning Centre (ALC)

Produce Original Work
Originality comes from your ability to read widely, think critically, and apply your gained knowledge to address a question or problem