



# BLCN28003 Construction Contract Administration

## Term 1 - 2024

Profile information current as at 29/04/2024 12:14 pm

All details in this unit profile for BLCN28003 have been officially approved by CQU University 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 - 2024

- Brisbane
- Online
- 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 Sute Student Evaluation

**Feedback**

Best aspects of the class were the clear and knowledgeable explanations

**Recommendation**

Lectures and tutorials will continue to provide up to date knowledge, real-life examples and industry relevant learning material.

#### Feedback from Sute Student Evaluation

**Feedback**

Some field visits or practical knowledge should be added to the unit.

**Recommendation**

A site visit was held for Perth Students in a previous term and an industry expert visited in class this term. From 2024 face to face classes led by lecturers on Sydney and Brisbane campuses will further connect to the local construction industry.

## 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



### 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: 1st (2022)

Authors: Coggins, J., Schwarz, S., Davies, M., and Ma, T.

LexisNexis

Sydney , NSW , 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

Binding: eBook

### 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

**Bode Ogunmakinde** Unit Coordinator

[o.ogunmakinde@cqu.edu.au](mailto:o.ogunmakinde@cqu.edu.au)

## Schedule

### Week 1 - 04 Mar 2024

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 - 11 Mar 2024

Module/Topic	Chapter	Events and Submissions/Topic
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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 - 18 Mar 2024

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 - 25 Mar 2024

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 - 01 Apr 2024

Module/Topic	Chapter	Events and Submissions/Topic
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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 (5 Apr 2024) 11:59 pm AEST

### Vacation Week - 08 Apr 2024

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

### Week 6 - 15 Apr 2024

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 - 22 Apr 2024

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 - 29 Apr 2024

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 - 06 May 2024

Module/Topic	Chapter	Events and Submissions/Topic
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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 (10 May 2024) 11:59 pm AEST

#### Week 10 - 13 May 2024

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 - 20 May 2024

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 - 27 May 2024

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 (31 May 2024) 11:59 pm AEST

#### Review/Exam Week - 03 Jun 2024

Module/Topic	Chapter	Events and Submissions/Topic
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#### Exam Week - 10 Jun 2024

Module/Topic	Chapter	Events and Submissions/Topic
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## 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 (5 Apr 2024) 11:59 pm AEST

Submission via Moodle unit site Turnitin

**Return Date to Students**

Week 6 Friday (19 Apr 2024)

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 Turnitin

**Learning Outcomes Assessed**

- 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

**Graduate Attributes**

- 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 (10 May 2024) 11:59 pm AEST

Submission via Moodle Unit Site Turnitin

### **Return Date to Students**

Week 11 Friday (24 May 2024)

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 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 receive formative and summative feedback.

### **Referencing Style**

- [Harvard \(author-date\)](#)

### **Submission**

Online

### **Submission Instructions**

Submission via Moodle unit site Turnitin

### **Learning Outcomes Assessed**

- 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.

### **Graduate Attributes**

- 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 (31 May 2024) 11:59 pm AEST

Submission via Moodle Unit Site Turnitin

### **Return Date to Students**

Exam Week Friday (14 June 2024)

Submission via Moodle unit site Turnitin

### **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 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 receive formative and summative feedback.

**Referencing Style**

- [Harvard \(author-date\)](#)

**Submission**

Online

**Submission Instructions**

Submission via Moodle unit site Turnitin

**Learning Outcomes Assessed**

- 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.

**Graduate Attributes**

- 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