



## UNSW Course Outline

# CONS0010 Construction Contract Administration - 2024

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## General Course Information

**Course Code :** CONS0010

**Year :** 2024

**Term :** Term 3

**Teaching Period :** T3

**Is a multi-term course? :** No

**Faculty :** Faculty of Arts, Design and Architecture

**Academic Unit :** School of Built Environment

**Delivery Mode :** Multimodal

**Delivery Format :** Standard

**Delivery Location :** Kensington

**Campus :** Sydney

**Study Level :** Postgraduate

**Units of Credit :** 6

### Useful Links

[Handbook Class Timetable](#)

## Course Details & Outcomes

### Course Description

The course introduces you to procurement methods and the practice of construction contract management. You will learn about: (a) different options for project delivery and the options for contract price; (b) the common matters covered in the general conditions of a major

construction contract, including (but not limited to) practical completion, extension of time, liquidated damages, latent conditions, delay costs, bonus and variation clauses, insurances; (c) the relevance of legal concepts, including unjust enrichment, frustration, waiver, estoppel, frustration and repudiation to contract administration; (d) alternative dispute resolution methods; (e) the purpose and application of the Security of Payments legislation for construction; and (f) the relevance of the Australian Consumer law.

## Course Learning Outcomes

Course Learning Outcomes
CLO1 : Apply contract administration and legal principles to the practice of project management
CLO2 : Understand how to formulate contracts at different stages in a project
CLO3 : Apply dispute resolution mechanisms in contract administration
CLO4 : Evaluate payments in accordance with variations submitted

Course Learning Outcomes	Assessment Item
CLO1 : Apply contract administration and legal principles to the practice of project management	<ul style="list-style-type: none"><li>• Online quizzes</li><li>• Class Group Assignment</li><li>• Final Assessment</li></ul>
CLO2 : Understand how to formulate contracts at different stages in a project	<ul style="list-style-type: none"><li>• Online quizzes</li><li>• Class Group Assignment</li><li>• Final Assessment</li></ul>
CLO3 : Apply dispute resolution mechanisms in contract administration	<ul style="list-style-type: none"><li>• Online quizzes</li><li>• Class Group Assignment</li><li>• Final Assessment</li></ul>
CLO4 : Evaluate payments in accordance with variations submitted	<ul style="list-style-type: none"><li>• Online quizzes</li><li>• Class Group Assignment</li><li>• Final Assessment</li></ul>

## Learning and Teaching Technologies

Moodle - Learning Management System

# Assessments

## Assessment Structure

Assessment Item	Weight	Relevant Dates
Online quizzes Assessment Format: Individual	20%	Start Date: Not Applicable Due Date: Not Applicable
Class Group Assignment Assessment Format: Group	30%	Start Date: Not Applicable Due Date: 29/10/2024 11:59 PM
Final Assessment Assessment Format: Individual	50%	Start Date: Not Applicable Due Date: 22/11/2024 11:55 PM

## Assessment Details

### Online quizzes

#### Assessment Overview

You will complete at least eight in-class quizzes. Feedback and correct answers provided the following week.

#### Course Learning Outcomes

- CLO1 : Apply contract administration and legal principles to the practice of project management
- CLO2 : Understand how to formulate contracts at different stages in a project
- CLO3 : Apply dispute resolution mechanisms in contract administration
- CLO4 : Evaluate payments in accordance with variations submitted

#### Assessment information

Refer to Moodle Quiz due date

#### Assignment submission Turnitin type

Not Applicable

#### Generative AI Permission Level

Not Applicable

Generative AI is not considered to be of assistance to you in completing this assessment. If you do use generative AI in completing this assessment, you should attribute its use.

For more information on Generative AI and permitted use please see [here](#).

# Class Group Assignment

## Assessment Overview

You will present this assignment in groups. Detailed feedback on your presentation and written assessment in class.

## Course Learning Outcomes

- CLO1 : Apply contract administration and legal principles to the practice of project management
- CLO2 : Understand how to formulate contracts at different stages in a project
- CLO3 : Apply dispute resolution mechanisms in contract administration
- CLO4 : Evaluate payments in accordance with variations submitted

## Assignment submission Turnitin type

This assignment is submitted through Turnitin and students can see Turnitin similarity reports.

## Generative AI Permission Level

### No Assistance

This assessment is designed for you to complete without the use of any generative AI. You are not permitted to use any generative AI tools, software or service to search for or generate information or answers.

For more information on Generative AI and permitted use please see [here](#).

# Final Assessment

## Assessment Overview

In this exam you will prepare a professional report that analyses a case study, and answer questions that demonstrate your understanding of legal principles and conflict resolution practices in the context of project management.

## Course Learning Outcomes

- CLO1 : Apply contract administration and legal principles to the practice of project management
- CLO2 : Understand how to formulate contracts at different stages in a project
- CLO3 : Apply dispute resolution mechanisms in contract administration
- CLO4 : Evaluate payments in accordance with variations submitted

## Assignment submission Turnitin type

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## Generative AI Permission Level

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## **General Assessment Information**

### Grading Basis

Standard

### Requirements to pass course

Overall mark for all three assessment is over 50%.

# Course Schedule

Teaching Week/Module	Activity Type	Content
Week 1 : 9 September - 15 September	Lecture	Course Introduction • Requirement of a valid contract • Forming a contract in practice • Answering a legal question • Group formation.
	Tutorial	Case Study and in-class discussion
Week 2 : 16 September - 22 September	Lecture	Contract Administration Components & Steps • Project start-up & meetings. • Managing variations • Notices • EoT's and LDs • Latent conditions
	Tutorial	Case Study and in-class discussion
Week 3 : 23 September - 29 September	Lecture	Procurement Strategy & Contract Type
	Tutorial	Case study, in class discussion Academic Writing Workshop
Week 4 : 30 September - 6 October	Lecture	GC 21 Introduction
	Tutorial	Case study, in-class discussion Group Assignment Discussion.
	Assessment	QUIZ 1 on Weeks 1-3
Week 5 : 7 October - 13 October	Lecture	Security Payment of Payment Act NSW
	Tutorial	Case study, in-class discussion
	Assessment	QUIZ 2 on Week 4
Week 6 : 14 October - 20 October	Other	Flex Week - No Class this week.
Week 7 : 21 October - 27 October	Lecture	Stakeholder Management in contract
	Tutorial	Case study, in-class discussion
	Assessment	QUIZ 3 on Week 5
	Assessment	Group Assignment Due Sunday 29 October
Week 8 : 28 October - 3 November	Lecture	Major Contract Condition • Scope of work. • Variation powers. • Limits of power to direct variations. • Negative variations. • Valuing variations • Delays
	Tutorial	Case study, in-class discussion
Week 9 : 4 November - 10 November	Lecture	Termination of the Contract • Is it a variation? • Formal requirements of variations clauses. • Recovery from "no Notice" • Implied promise, • Unjust enrichment • Quantum merit • Waiver and estoppel
	Tutorial	Case study, in-class discussion
Week 10 : 11 November - 17 November	Lecture	Alternative Dispute Resolution
	Tutorial	Case study, in-class discussion
Week 11 : 18 November - 24 November	Assessment	Final Assignment Due Friday 22 November

## Attendance Requirements

Students are strongly encouraged to attend all classes and review lecture recordings.

# Course Resources

## Recommended Resources

- Bailey I and Bell M, (2011) Construction Law in Australia, 3rd edn, Thomson Reuters, Sydney.
- Davenport, P. (2010) Adjudication in the building industry. Federation Press, Sydney.
- Davenport, P. & Durham H. (2013) Construction Claims, 3rd ed., Federation Press, Sydney.
- Clay R & Dennys, N. (2015) Hudson's Building and Engineering Contracts. 13th ed., Sweet and Maxwell, London.

## Course Evaluation and Development

We encourage and support students to maintain regular contact with the course convenor to provide informal feedback throughout the course. For specific issues or detailed feedback, please arrange a meeting with the course convenor via email.

In this course there is an option for students to provide anonymous feedback via the course's Moodle page, which is directly sent to the convenor. As a final step, students are invited to share their insights and experiences by completing the MyExperience survey. The feedback gathered each year is integral to the continuous enhancement and development of the course.

## Staff Details

Position	Name	Email	Location	Phone	Availability	Equitable Learning Services Contact	Primary Contact
Convenor	Ivy Blackman				By appointment – organise via email, online meeting via Microsoft Teams	Yes	Yes
Lecturer	Prince Wright				Class time and through email.	No	No
Tutor	Abdu-Razaq Fagbenro				Class time and through email.	No	No

## Other Useful Information

### Academic Information

For essential student information relating to:

- UNSW and Faculty policies and procedures;
- Student Support Services;
- Student equity and disability;
- Special Consideration in the event of illness or misadventure;
- Examination information;

- Review of results;

Please see: <https://www.unsw.edu.au/arts-design-architecture/student-life/resources-support/protocols-guidelines>

## Academic Honesty and Plagiarism

Plagiarism is using the words or ideas of others and presenting them as your own. It can take many forms, from deliberate cheating to accidentally copying from a source without acknowledgement.

UNSW groups plagiarism into the following categories:

- Copying: Using the same or very similar words to the original text or idea without acknowledging the source or using quotation marks. This includes copying materials, ideas or concepts from a book, article, report or other written document, presentation, composition, artwork, design, drawing, circuitry, computer program or software, website, internet, other electronic resource, or another person's assignment without appropriate acknowledgement.
- Inappropriate paraphrasing: Changing a few words and phrases while mostly retaining the original information, structure and/or progression of ideas of the original without acknowledgement. This also applies in presentations where someone paraphrases another's ideas or words without credit and to piecing together quotes and paraphrases into a new whole, without appropriate referencing.
- Collusion: Working with others but passing off the work as a person's individual work. Collusion also includes providing your work to another student for the purpose of them plagiarising, paying another person to perform an academic task, stealing or acquiring another person's academic work and copying it, offering to complete another person's work or seeking payment for completing academic work.
- Inappropriate citation: Citing sources which have not been read, without acknowledging the "secondary" source from which knowledge of them has been obtained.
- Duplication ("self-plagiarism"): Submitting your own work, in whole or in part, where it has previously been prepared or submitted for another assessment or course at UNSW or another university.

The UNSW Academic Skills support offers resources and individual consultations. Students are also reminded that careful time management is an important part of study. One of the identified causes of plagiarism is poor time management. Students should allow sufficient time for research, drafting and proper referencing of sources in preparing all assessment items. UNSW Library has the ELISE tool available to assist you with your study at UNSW. ELISE is designed to introduce new students to studying at UNSW, but it can also be a great refresher during your study.

Completing the ELISE tutorial and quiz will enable you to:

- analyse topics, plan responses and organise research for academic writing and other assessment tasks
- effectively and efficiently find appropriate information sources and evaluate relevance to your needs
- use and manage information effectively to accomplish a specific purpose
- better manage your time
- understand your rights and responsibilities as a student at UNSW
- be aware of plagiarism, copyright, UNSW Student Code of Conduct and Acceptable Use of UNSW ICT Resources Policy
- be aware of the standards of behaviour expected of everyone in the UNSW community
- locate services and information about UNSW and UNSW Library

## Use of AI for assessments

As AI applications continue to develop, and technology rapidly progresses around us, we remain committed to our values around academic integrity at UNSW. Where the use of AI tools, such as ChatGPT, has been permitted by your course convener, they must be properly credited and your submissions must be substantially your own work.

In cases where the use of AI has been prohibited, please respect this and be aware that where unauthorised use is detected, penalties will apply.

### [Use of AI for assessments | UNSW Current Students](#)

## Submission of Assessment Tasks

Assessment tasks must be submitted electronically via either Turnitin or a Moodle assignment.

In instances where this is not possible, alternative submission details will be stated on your course's Moodle site. For information on how to submit assignments online via Moodle: <https://student.unsw.edu.au/how-submit-assignment-moodle>

## Late Submission Penalty

UNSW has a standard late submission penalty of:

- 5% per calendar day,
- for all assessments where a penalty applies,
- capped at five calendar days (120 hours) from the assessment deadline, after which a student cannot submit an assessment, and
- no permitted variation.

Students are expected to manage their time to meet deadlines and to request [Special Consideration](#) as early as possible before the deadline. Support with [Time Management is available here.](#)

**Important note:** UNSW has a “fit to sit/submit” rule, which means that if you sit an exam or submit a piece of assessment, you are declaring yourself fit to do so and cannot later apply for Special Consideration. This is to ensure that if you feel unwell or are faced with significant circumstances beyond your control that affect your ability to study, you do not sit an examination or submit an assessment that does not reflect your best performance. Instead, you should apply for Special Consideration as soon as you realise you are not well enough or are otherwise unable to sit or submit an assessment.

## School Contact Information

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