

**GEORGIA INSTITUTE OF TECHNOLOGY**  
**BC 3610- CONSTRUCTION LAW**  
**Course Policy, Procedures, and Syllabus**  
**Spring 2011 ( 3 credits)**

Schedule: Thursday evenings, 6:05-8:55pm  
Classroom: West Architecture Building (Room 258)

Instructor: Scott D. Cahalan  
Office: College of Architecture Annex (Building Construction/GIS Building)  
Office Phone: 404-815-3711  
Email Address: [scahalan@sgrlaw.com](mailto:scahalan@sgrlaw.com)  
Office Hours: By mutually convenient appointment (preferably immediately before and after class on Thursday)

**Required Textbook & Handouts:** Smith, Currie & Hancock's Common Sense Construction Law: A Practical Guide for the Construction (Thomas J. Kelleher, Jr. & G. Scott Walters eds., 4<sup>th</sup> ed. 2009) (ISBN 978-0-470-23136-4). Handouts will be posted on T-Square in advance of class

**Course Description, Goal, and Objectives:** This course will give the participants a broad introduction to some of the laws, public policies, and legal precedents that affect the construction process.

**Policies and Expectations:** This is a comprehensive course that will require the students to read the textbook and handouts carefully before class, to attend lectures for additional information, and be prepared to be called upon to discuss the legal principles set forth in either the reading materials or otherwise presented during class. Students are encouraged to ask questions during the final 15 minutes of class by raising their hands and waiting until they are recognized by the instructor.

**Attendance Policy:** Attendance is required. It is the responsibility of the student to obtain any missed information or handouts given in class from a classmate. You should exchange phone numbers or email addresses with other students in the class to facilitate note sharing etc. You are expected to complete readings and other assigned work, including group assignments, **prior** to class in order to participate fully. You are also expected to attend and actively participate in classes when called upon. You are responsible for all material covered during class meetings and assignments. Cell phones shall be turned off during lectures.

**Communications:** Students may communicate with the Instructor before, during, and after class, or by e-mail. The Instructor will endeavor to provide prompt responses to e-mails. Students should request an appointment with the Instructor for comprehensive communications.

**Method of Instruction:** The course will consist of a combination of lecture and classroom discussions. Guest speakers may be used on occasion. The Instructor may or may not use a PowerPoint. Students are encouraged to take notes and to prepare study outlines.

**Readings, Preparation and Participation:** The reading assignments, cases and discussion

forums are an integral element of the course. Students are expected to complete readings and other assigned work prior to class in order to follow and participate in the discussion. Learning is approached as a participatory process, benefiting from student/teacher and student interaction.

**Assignment Deadlines:** All assignments are due either by e-mail or by hard-copy before class starts on the date indicated for the assignment. All students are expected to complete all assignments within the deadline. No extra credit is offered for missed assignments. The Instructor reserves the right to modify assignments.

**Course Evaluation:** Final grades will be based on the aggregate point total for exams, classroom participation and homework assignments. No extra credit is anticipated for this course. Grades may be curved to provide a balance of intellectual challenge and academic reward. Course grading is set at the following percentages:

A	B	C	D	F
90% and above	80%	70%	60%	<60%

The ranges set forth in this table are firm. Close does not count. As a result, a student receiving a final grade of 79% will receive a "C" for the course.

**Points:** The following table summarizes the point distribution for this course. Make-up examinations will not be allowed, unless due to extraordinary circumstances beyond the control or fault of the student, such as a recognized disability.

	Percent
Class Attendance and Participation	10%
Homework	10%
Exam #1	20%
Exam #2	25%
Final Exam	35%
<b>TOTAL</b>	<b>100%</b>

**Examinations:** Examinations for this course will be closed book and consist of short answer and essay questions. Essay questions may involve the application of facts and circumstances to the legal concepts discussed in either the reading assignment, or class, or both. The facts and circumstances on the examination may be different from yet similar to the cases discussed in class. This is not intended to trick or confuse the student; rather it is to test whether the student understands the legal concepts well enough to apply them to new situations.

Students must purchase one or more bluebooks for each examination. Bluebooks are available at the campus bookstore. **Students appearing for an examination without a bluebook may not be allowed to take the examination.** To avoid this risk, students are encouraged to purchase, sign, and provide the Instructor with three or more bluebooks, in which event the Instructor will be responsible for bringing the student's bluebooks to the examinations. All examination questions must be turned in with the bluebooks at or before the time established for the examination; otherwise the bluebook will not be graded.

**Syllabus:** The Syllabus is provided below and on T-Square. The Instructor reserves the right to modify the syllabus as the course progresses, including adding handouts and changing reading assignments. Students must complete the reading before the lecture, so that legal issues may be discussed more fully and understood more clearly by the students. The lectures will not follow the book reading precisely, but are designed to generate further understanding and discussion about important legal issues that relate to the reading.

Date	Class Description	Reading
01/13/11	Introduction to Construction Law	
01/20/11	Contracting methods	Ch. 1 & 2; Ch. 13, Sect. III & IV (pg 344-350)
01/27/11	Competitive Bidding	Ch. 4
02/03/11	Contract Interpretation	Ch. 5
02/10/11	FIRST EXAM (1 hr)	
02/17/11	Review first exam & Subcontracts	Ch. 8 (180-206)
02/24/11	Subcontracts & Payment Bonds	Ch. 8 (207-218); Ch 14
03/03/11	Material Purchase Contracts	Ch. 6
03/10/11	Contract Changes	Ch. 9
03/17/11	SECOND EXAM (1 hr)	
03/24/11	SPRING BREAK	
03/31/11	Review second exam & Differing Site Conditions	Ch. 10
04/07/11	Time	Ch. 11, Ch. 13 Sect. XIII (pg 367-368)
04/14/11	Acceptance & Warranties	Ch. 12
04/21/11	Performance Bonds & Termination	Ch. 15
04/28/11	Proving Damages	Ch. 16
05/05/11	FINAL EXAM (2.75 hr)	

**Academic Misconduct/Honor Code:** Students in this course are responsible for behaving in accordance with Georgia Tech Academic Honor Code. The Institute Student Honor Code is printed in the Georgia Tech General Catalog as well as at: [www.honor.gatech.edu](http://www.honor.gatech.edu) on the web.

**Disabilities:** Any student who feels that he/she may need an accommodation for any sort of disability should contact the ADAPTS office: Dan Carlson, Assistant Dean/Coordinator for Students with Disabilities as Smithgall Student's Services Building, Suite 221, Telephone (404) 894-2564 and email [dan.carlson@vpss.gatech.edu](mailto:dan.carlson@vpss.gatech.edu).

**Computer Specifications:** See: [www.coa.gatech.edu/computing/comp\\_specs.htm](http://www.coa.gatech.edu/computing/comp_specs.htm) for information on computer specifications to meet Georgia Tech standards. Internet access is required, as is an e-mail account for communication.