

SYLLABUS

Course Title: Construction Law and Ethics

Course Prefix: CONS Course No.: 4633 Section No.: P01



"The transformation of the mind and soul is a miracle of the moment... the making of a professional and leader is a journey of a lifetime."

leader is a journey or a					
School of	Department: Architecture ☑				
	Construction Science				
Architecture	Art □ Community Development □				
Course Location:					
	Nathelyne Archie Kennedy Building, Room 115 Tuesday; 6:00-8:50 PM				
Class Meeting Days & Times:	Tuesday; 6:00-8:50 PW				
Catalog Description:	"/2 0) Cradit 2 corrector becars. Delinection of contracts used in the construction industrial				
Catalog Description:	"(3-0) Credit 3 semester hours. Delineation of contracts used in the construction industry; emphasis on understanding the functions and interrelationships of documents; review of law applied to the industry; application of the contract, and law to case studies; introduction to resources and analytical process used by construction professionals; ethics in the construction industry.				
Prerequisites:	None				
Co-requisites:	None				
Instructor:	Daniel R. Hernandez				
	Adjunct Professor				
Office Location:	School of Architecture, Prairie View A&M University, Room 227				
Office Telephone:	(979) 822-6100				
Fax:	(979) 822-6001				
Email Address:	danielr@hdzfirm.com, danielhernandez53@hotmail.com				
U.S. Postal Service	Prairie View A&M University				
Address:	P.O. Box 519				
	Mail Stop 2100				
	Prairie View, TX 77446				
Office Hours:	By appointment. Students are advised to make appointments ahead of time. Students				
	should also be prepared for their appointment by bringing all applicable materials and				
	information to the professor.				
Virtual Office Hours:					
Required Text:	Common Sense Construction Law – 3rd Edition, Wiley Publishing.				
Optional Text:					
Recommended					
Text/Readings:					
Lograina Passurass	DVAMILL ibrory:				
Learning Resources	PVAMU Library: Telephone: (936) 261-1500;				
	web: http://www.tamu.edu/pvamu/library/				
l	mos. <u>Intp://www.tama.odu/pvama/intry/</u>				

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Use the Reference Desk at the library where the staff is eager to guide your research. They can orient you to hard copies and on-line resources.

University Bookstore: Telephone: (936) 261-1990

web: https://www.bkstr.com/Home/10001-10734-1?demoKey=d

The Writing Center Telephone: (936) 261-3700

The Writing Center's goal is to provide a friendly, stress-free environment for students from all over campus to meet with a consultant and talk about writing of all types. They provide a responsive audience and advice from experienced writers in sessions generally lasting thirty to forty-five minutes. Sessions of this length offer time to work individually with students on any aspect of the writing process: from brain storming and drafting, to revising and proofreading. They will explore ways to improve a student's overall writing skills. They do NOT proofread or edit for students, but instead teach proofreading and editing techniques. Their goal is to: make a better writer for the long term.

Student Academic Success Center

Telephone: (936) 261-1040

Student Academic Success Center identifies academic and social roadblocks that interfere with persistence and timely graduation of PVAMU students. SASC informs campus-wide policies by staying current with retention literature and best practices. Further, SASC develops programs and services that are specifically aimed at continuing the academic success of the first year. We strive to provide PVAMU students with "Navigation to Graduation".

The Tutoring Center

John B. Coleman Library in Room 209

Telephone: (936) 261-1561

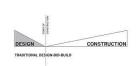
Hours: Monday through Thursday 12 pm to 9 pm and Friday from 8 am to 5 pm.

Email: AEtutoring@pvamu.edu

Open to all undergraduate students enrolled for credit in targeted PVAMU courses. offers help for:

- Microeconomics, Macroeconomics
- Management Information Systems
- History, Government
- Statistics, Basics Calculus II
- Psychology, Sociology
- English (Basics Freshman Comp II), Speech
- Spanish l&II
- Biology (Pre-Med, Pre-Nursing)
- Chemistry (Bio & Nursing Majors)
- Physics
- Materials & Science

Course Goals and Overview:



CONS 4433 focuses on commercial construction which is a large part of the overall construction industry. While the nation's supply of office buildings may currently be overbuilt, opportunities for employment in this segment of the business remain strong especially in consideration of the projected needs in areas of retail, industrial, recreation and hospitality. The primary emphasis will be to help you to understand the role that the contractor must perform under to deliver successful projects and to gain a perspective on the types of projects that you might encounter in your career. This class is to be a learning experience, and one that you want to come to each week. As such the learning will emphasize more than just knowledge comprehension. Each student must develop analytical skills needed to make them a successful construction leader and manager. You should also begin to develop those critical skills needed to perform your job for your employer after graduation by having the knowledge of terms and conditions related to this subject matter.

Course Outcomes/Learning Objectives		
At the end of this course, the student will		
4443.6	Develop and to demonstrate the ability to solve problems . Develop and to demonstrate the ability to	
1	effectively communicate to the project team.	
4443.7	Prepare for future job opportunities after graduation.	

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Course Requirements & Evaluation Methods

This course will utilize the following instruments to determine student grades and proficiency of the learning outcomes for the course.

Students will be evaluated based on attendance, assignments, and class involvement/participation.

- Exams: Written tests deisgned to measure knowledge of presented course material
- Class Attendance/ Participation: Daily attendance and participation in class discussions.

Grading Matrix

Instrument	Value (points or percentages)	Total
Class Attendance/Participation	25%	25
Final Exam and 10 page research paper	25%	25
Exams	2 Exams at 25%each	50
Total:		100
Grade Determination:	A = 100.00 % - 95.00 % B = 94.00 % - 85.00 % C = 84.00 % - 75.00 % D = 74.00 % - 65.00 % F = Below 65.00 %	

Course Procedures

University Attendance Policy:

Prairie View A&M University requires regular class attendance. Excessive absences will result in lowered grades. Excessive absenteeism, whether excused or unexcused, may result in a student's course grade being reduced or assignment of a grade of "F." Absences are accumulated beginning with the first day of class.

Instructor's Attendance and Participation Policy

The class meets weekly on Tuesday evenings, from 6:00 p.m. until 8:50 p.m. You are expected to attend each class. Class attendance is recorded on roll sheets that are circulated to record <u>your</u> name and signature. Attendance and participation is critical to achievement of the learning objectives - for you and your fellow students. The ability to communicate, listen and speak assertively is critical to fulfilling your potential. Therefore, your Attendance/Participation points will be based on the amount of quality participation you engage in. This includes asking questions and giving opinions and responses based on well thought out basis.

If you do not come to class, you may assume that you have received zero (0) points for the class period unless you have a university approved excuse in one of the following classifications:

- 1. Participation in an activity appearing on the University authorized activity list.
- 2. Death or major illness in a student's immediate family.
- 3. Illness of a dependent family member.
- 4. Participation in legal proceedings that requires a student's presence.
- 5. Religious holy day.
- 6. Confinement because of illness.
- 7. Required participation in military duties.

If you miss class for one of these reasons, you must provide a memorandum plus supporting documentation to clear the absence from your record. These documents will be accepted for ONE WEEK AFTER THE ABSENCE HAS OCCURRED. There will be NO exceptions to this rule. This includes student-athletes who are to provide university forms for reporting absences to participate in approved competitions. Emails will not be accepted to clear these absences. After that, the involvement grade stands. If you have another reason other than these seven for being absent, you may submit a memorandum with supporting documentation requesting that the absence be removed from you record for ONE WEEK AFTER THE ABSENCE HAS OCCURRED. There will be NO exceptions to this rule. All requests will be reviewed and approved or disapproved based upon the justification that you provide in your memorandum. While other reasons for being absent are rarely approved; it

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Personal Conduct	is understood that you might feel that there is a higher priority that requires you to miss class. In accepting your decision to miss class, you must also be willing to accept the instructor's decision to not award you involvement points for the class or classes that are missed. Students and faculty are expected to conduct themselves in ways that support individual learning and the learning of others. To that end members of the classroom community will conduct themselves in a professional and ethical manner to achieve these objectives. Any conduct construed to interfere with the learning opportunities of members of the class may result in the removal of the student from the class for that day. Repeated inappropriate conduct will result in permanent removal from the class. Based upon the fact that you are preparing for professional employment, you are expected to adhere to the following specific
	guidelines: 1. During regular class periods <u>all students are expected to dress appropriately</u> in accordance with university regulations so that no disruptions in the learning experience will occur.
	2. No hats or caps will be allowed to be worn in the classroom during class sessions. If you elect to wear a hat or cap during the lectures or class discussion, your decision will be respected. However you should also respect the instructor's decision to not award you daily participation points based upon that decision.
	3. <u>Dress Code for Presentations:</u> Professional dress is expected for all design and technical presentations in class. Failure to adhere to the guidelines posted by the instructor will result in a deduction of ten percent (10%) from your final presentation score.
	 4. No food or drink is allowed in the classroom at any time. 5. Cellular telephones are to be turned off or put on silent ring tone during the class period. Texting is strictly prohibited during the class period. No "ear phone" units will be allowed. If your cell phone rings during the lecture or you are texting you are subject to
	 losing all participation point for that class period. Laptops must emit no noise. Make sure your laptop is warmed up and your battery charged before class starts. A laptop is allowed only for taking notes or accessing relevant course material during the class. Checking email, playing a game, messaging and other non-class related activities are not allowed at any time. Harassment of your fellow students of any kind will not be tolerated.
	8. No children, friends, family members or guests are allowed in the class without prior approval. Failure to adhere to this rule will result in a "0" for that class period.
Conduct of the Class and Care of the Facility	 Class will begin at the appointed time. Class is dismissed when so indicated by the instructor. Students are expected to be on time and stay throughout the entire class period. Leaving the classroom before the class is dismissed without prior approval from the instructor will result in a loss of participation for that class. All class members are required to keep the classroom in a clean and orderly manner to facilitate the number of students using it each day. Failure to maintain the classroom as requested by the instructor will result in a deduction in participation points for all class members for that date of instruction.
Formatting	Microsoft Word is the standard word processing tool used at PVAMU. If you are using other
Documents:	word processors, be sure to save the document in either the Microsoft Word, Rich-Text, or plain text format.
Exam Policy:	All exams will be given on the announced date. All students must be present as I do not give make-up exams unless caused by a university excused absence. I also understand that emergencies do occur. If a university excused absence or a valid emergency is reported to me and approved, I will allow a make-up exam that must be taken during the next scheduled class period to avoid a penalty. Otherwise, taking the exam after this time will result in an ASSESSED PENALTY COST OF 10 POINTS PER DAY FOR EVERY DAY THAT THE EXAM HAS NOT BEEN TAKEN and will continue indefinitely until the exam is taken. Make-up exams will be different from regularly-scheduled exams, and although I will strive to ensure that makeup exams are not more or less difficult than the regularly-scheduled exam,

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	you waive the right to complain that a make-up exam happens to be harder than its regularly-scheduled counterpart.			
University Rules and Procedures				
Disability Statement (See Student Handbook):	Students with disabilities, including learning disabilities, who wish to request accommodations in class should register with the Services for Students with Disabilities (SSD) early in the semester so that appropriate arrangements may be made. In accordance with federal laws, a student requesting special accommodations must provide documentation of their disability to the SSD coordinator. Students should also inform the instructor of their need for accommodations immediately at the outset of the course so that a solution designed to being successful in class can be produced.			
Academic Misconduct (See Student Handbook):	You are expected to practice academic honesty in every aspect of this course and all other courses. Make sure you are familiar with your Student Handbook, especially the section on academic misconduct. Students who engage in academic misconduct are subject to university disciplinary procedures.			
Forms Of Academic Dishonesty:	 Cheating: deception in which a student misrepresents that he/she has mastered information on an academic exercise that he/she has not mastered; giving or receiving aid unauthorized by the instructor on assignments or examinations. Academic misconduct: tampering with grades or taking part in obtaining or distributing any part of a scheduled test. Fabrication: use of invented information or falsified research. Plagiarism: unacknowledged quotation and/or paraphrase of someone else's words, ideas, or data as one's own in work submitted for credit. Failure to identify information or essays from the Internet and submitting them as one's own work also constitutes plagiarism. 			
Nonacademic Misconduct (See Student Handbook)	The university respects the rights of instructors to teach and students to learn. Maintenance of these rights requires campus conditions that do not impede their exercise. Campus behavior that interferes with either: (1) the instructor's ability to conduct the class; (2) the inability of other students to profit from the instructional program, or (3) campus behavior that interferes with the rights of others will not be tolerated. An individual engaging in such disruptive behavior may be subject to disciplinary action. Such incidents will be adjudicated by the Dean of Students under nonacademic procedures.			
Sexual misconduct (See Student Handbook):	Sexual harassment of students and employers at Prairie View A&M University is unacceptable and will not be tolerated. Any member of the university community violating this policy will be subject to disciplinary action.			
Student Academic Appeals Process	Authority and responsibility for assigning grades to students rests with the faculty. However, in those instances where students believe that miscommunication, errors, or unfairness of any kind may have adversely affected the instructor's assessment of their academic performance, the student has a right to appeal by the procedure listed in the Undergraduate Catalog and by doing so within thirty days of receiving the grade or experiencing any other problematic academic event that prompted the complaint.			
Technical Conside	erations for Online and Web-Assist Courses			
Minimum Hardware and Software Requirements Netiquette (online	Pentium with Windows XP or PowerMac with OS 9 -56K modem or network access -Internet provider with SLIP or PPP -8X or greater CD-ROM -64MB RAM -Hard drive with 40MB available space -15" monitor, 800x600, color or 16 bit -Sound card w/speakers -Microphone and recording software -Keyboard & mouse -Netscape Communicator ver. 4.61 or Microsoft Internet Explorer ver. 5.0 /plug-ins -Participants should have a basic proficiency of the following computer skills: -Sending and receiving email -A working knowledge of the Internet -Proficiency in Microsoft Word -Proficiency in the Acrobat PDF Reader -Basic knowledge of Windows or Mac O.S. Students are expected to participate in all discussions and virtual classroom chats when directed to			
etiquette):	do so. Students are to be respectful and courteous to others in the discussions. Foul or abusive language will not be tolerated. When referring to information from books, websites or articles, please use APA standards to reference sources.			

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Technical Support:	Students should call the Prairie View A&M University Helpdesk at 936-261-2525 for technical issues with accessing your online course. The helpdesk is available 24 hours a day/7 days a week. For other technical questions regarding your online course, call the Office of Distance Learning at 936-261-3290 or 936-261-3282
Communication Expectations and Standards:	All emails or discussion postings will receive a response from the instructor within 48 hours. You can send email anytime that is convenient to you, but the instructors will check their email messages continuously during the day throughout the work-week (Monday through Friday) during normal office hours. Instructors should respond to email messages during the work-week by the close of business (5:00 pm) on the day following their receipt of them. Emails received on Friday will be responded to by the close of business on the following Monday.

ACCREDITATION/ASSESSMENT CRITERIA TABLE 2: ACCE CRITERIA

This course is structured to assist the student meet the following criteria shown in **Table No. 1** as established by the American Council for Construction Education (*ACCE*) Standards and Criteria for Accreditation. To view the entire list, go to the ACCE website, www.acce-hq.org and view the "Accreditation Procedures."

Course Learning Outcomes	Competencies		
	(T, R, I)		
	T	R	I
	Taught	Reinforced	Utilized/ Integrated
1. General Education (Communications, social sciences and humanities): The ability to communicate both orally and in writing, and have an understanding of human behavior.	т		
2. Math and Science (Mathematics and Physical Science): The ability to apply the principles of mathematics, statistics and computer science. The understanding of the behavior of materials, equipment and methods used in construction combined with knowledge of physics, chemistry, geology and environmental sciences.		R	
3. Business and Management: The knowledge to effectively manage the principle resources of the industry: people and money. Understanding the fundamentals of the free-enterprise system to include accounting, finance, business regulations, contract law, labor law, and marketing.	т	R	1
4. Construction Science: An understanding of the contribution of the design process. The ability to communicate with the design professionals and participation in the planning phase of design-build projects. The ability to solve practical communication problems.		R	
5. Construction: Involvement and understanding of both office and field activities to include effective management of personnel, materials, equipment, costs and time. The understanding of the contractor's role as a member of a multi-disciplinary team, the assessment of project risk and alternative construction methods (Traditional Design-Bid-Build, Construction Manager and Design-Build).	Т		
6. Other:			

COURSE OUTLINE: EVENT AND LECTURE SCHEDULE This schedule is subject to change as the semester proceeds in order to cover the most important material in the time allotted. Any revisions will be duly noted and announced in class. All referenced readings are taken from the required text. Registration/Assembly Dates exam scores will be posted B **Dates Key Dates Holidays** 1 Graduation **Guest lectures** باللر **Applications Dates for Exams Project Team Workshop 16 WEEK CALENDAR** Overview of Course Week One: Topic August 29, 2017 Chapter (s): Handouts regarding Litigation Assignment (s): August 28,2017 UNDERGRADUATE: LATE REGISTRATION/ADD University Events: **COURSES/CHANGE COURSE SCHEDULE ENDS** GRADUATE: LATE REGISTRATION/ADD COURSES/CHANGE September 2, 2017 **COURSE SCHEDULE ENDS** Week Two: Topic How court procedurally substantively address contracts and contract claims September 5, 2017 litigation Chapter (s): **Mediation Handouts** Assignment (s): September 4, 2017 University Events: **LABOR DAY (University Closed)** September 6, 2017 **GENERAL STUDENT ASSEMBLY: All students to attend.** (Time to be announced.) Week Three: Topic Mediation Procedure/Process **September 12, 2017** Chapter (s): Read Chapter 4 Assignment (s): **University Events:** CENSUS DATE (12TH CLASS DAY): COURSE RESERVATIONS **September 13, 2017** CANCELLED FOR NON-PAYMENT. LAST DAY TO WITHDRAW FROM COURSE WITHOUT ACADEMIC RECORD. FALL 2017 GRADUATION LATE APPLICATION DEADLINE. There will be NO exceptions to this deadline. **NOTE! WITHDRAWAL FROM COURSES "WITH ACADEMIC September 14, 2017 RECORD" (W) BEGINS** Week Four: Topic Competing for the Contract- Federal Acquisitions **September 19, 2017** Chapter (s): Read Chapters 5 and 7 Assignment (s):

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University Events:				
Week Five: Topic September 26, 2017	Interpreting the Contract and Authority/Responsibility of the Architect/Engineer			
Chapter (s):	STUDY!			
Assignment (s):				
University Events:	September 25, 2017 [Monday]	NOTE! 20 TH CLASS DAY		
Week Six: Topic		EXAM #1		
October 3, 2017				
Chapter (s):		Read Chapter 8		
Assignment (s):				
University Events:				
Week Seven: Topic	Sub	contract Administration and Dispute Avoidance		
October 10, 2017	Subt	<u> </u>		
Chapter (s):		Read Chapters 9 & 10		
Assignment (s):				
University Events:				
Week Eight: Topic October 17, 2017	Со	ntract Changes and Differing Site Conditions		
Chapter (s):	Read Chapter 11			
Assignment (s):		Read Chapter 11		
University Events:				
Mid-Term Exam	October 19- October 21, 2017			
Week Nine: Topic October 24, 2017	Lecture Segment #7:Schedules, Delays and Acceleration			
Chapter (s):	Read Chapter 12			
Assignment (s):				
University Events:	October 24, 2017	MID-TERM EXAM GRADES DUE		
Week Ten: Topic	Inspection	n, Acceptance, Commissioning and Warranties, and		
October 31, 2017	·	Collections/Damages		
Chapter (s):		STUDY!		
Assignment (s):				
University Events:				
Week Eleven: Topic November 7, 2017		EXAM #2		
Chapter (s):	Read Chapters 16, 17 and Handout			
Assignment (s):		result oriuptoro ro, ir unu riunuout		
University Events:	November 6, 2017	NOTE! WITHDRAW FROM COURSE "WITH RECORD ("W") ENDS.		
Week Twelve: Topic November 14, 2017	Collections/Damages			
Chapter (s):		Read Chapters 18, 19 & 21		
p.c. (0).		Mode Onaptoro 10, 10 & 21		
Assignment (s):				

	November 17, 2017	NOTE! SPRING 2017 GRADUATION APPLICATION DEADLINE. There will be NO exceptions to this deadline.	
Week Thirteen: Topic November 21, 2017	Environmental Concerns, Managing Workers and Resolution of Construction Disputes Insurance		
Chapter (s):		Read Handout	
Assignment (s):			
University Events:	November 23-25, 2017	NOTE! THANKSGIVING DAY (UNIVERSITY CLOSED)	
Week Fourteen: Topic November 28, 2017	Texas Residential Construction		
Chapter (s):		STUDY!	
Assignment (s):			
University Events:			
Week Fifteen Topic December 5, 2017	10 PAGE PAPER & FINAL EXAM DUE		
Chapter (s):			
Assignment (s):			
University Events:	December 4-5, 2017 December 5, 2017	Course Review Day Last Day to Withdraw from the University (ALL courses)	
Week Sixteen			
	December 6, 2017- December 12, 2017	FINAL EXAMINATION PERIOD	
	December 16, 2017	COMMENCEMENT	
	December 19, 2017	FINAL GRADES DUE FOR ALL STUDENTS	

In order to assure that you have read over this entire document you are required to sign the Statement of Agreement on the final page of the syllabus and return it at the start of second class period. This will be our contract that you have read over the entire syllabus and that you understand what is expected of you in this class.

STATEMENT OF AGREEMENT I have read the Course Syllabus for CONS 4633 for the Event Schedule, and agree to abide by the conditions indicates my personal commitment to meeting the countries of th	for the class as spelle	ed out in this document. N	/ly signature
Signature-Student	Student Email (Print neatly and carefully)		
Student name (Please print neatly and carefully)	Student ID #	Date	
Signature-Instructor			
Instructors name		Date	
RETURN THIS PAGE FROM THE SYLLAB ENROLLMEN	US TO THE INSTRU T IN THIS COURSE		E YOUR
□ RECEIVED WITH STUDENT'S SIGNATURE:			
☑ ENTERED INTO GRADE BOOK:			

Your email is very important for notices during the semester. Print carefully so professor can read.