

**Professor Dana Sherman**

## Construction Law and the Property Development Process

How well did you learn?				
Not at all → Very Well				
1	2	3	4	5
<b>ENTER YOUR RATINGS</b>				
↓ BELOW ↓				

### COURSE OBJECTIVES AND OUTCOMES

**Objective:** Students will learn and increase understanding the complexity of the business and legal components of the construction process.

**Outcome.** How well did this course increase your ability to understand and/or do the following?

#### I. Legal Principles

1	Structure of the American legal system (legislative, executive/administrative, judicial)	1	2	3	4	5
2	Ability to research basic legal issues	1	2	3	4	5
3	Improve non-quantitative analytical and decision making process	1	2	3	4	5

#### II. Contracts

4	Basic principles of contract formation and interpretation	1	2	3	4	5
5	Application of contract principles in construction	1	2	3	4	5

#### III. Property

6	Real property, tangible and intangible personal property	1	2	3	4	5
7	Real estate ownership (tenancies, community property), transfers and recording	1	2	3	4	5
8	Chain of title, liens and secured interests (mortgages and deeds of trust)	1	2	3	4	5
9	Land controls, zoning, subdivisions, and regulation	1	2	3	4	5
10	Use of property (easements, nuisance, trespass)	1	2	3	4	5

#### IV. Employment and Agency

11	Distinctions between employees and independent contractors	1	2	3	4	5
12	Agency formation and termination, powers of attorney	1	2	3	4	5
13	Fiduciary duties of agent and principal (dual agency, disclosures, etc)	1	2	3	4	5
14	Rights and duties of agent to principal and third parties (contract and tort)	1	2	3	4	5
15	Workers' compensation insurance	1	2	3	4	5

#### V. Torts

16	Intentional Torts (e.g., assault and battery, invasion of privacy)	1	2	3	4	5
17	Negligence	1	2	3	4	5
18	Strict or products liability	1	2	3	4	5
19	Insurance and bonds	1	2	3	4	5
20	Indemnification and risk transfer in construction	1	2	3	4	5
21	Application of torts principles to construction	1	2	3	4	5

#### VI. Business Forms

22	Basic business structures: proprietorship, partnership, corporation	1	2	3	4	5
23	Business management and control	1	2	3	4	5
24	Liability of owners and managers	1	2	3	4	5
25	Basic taxation principles	1	2	3	4	5

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**COURSE OBJECTIVES AND OUTCOMES**

**VII. Engineering and Construction Practice**

		1	2	3	4	5
26	General size, nature, importance and structure of the construction industry					
27	Participant (architects, contractors, owners, etc) roles in the construction process					
28	Licensing and regulation of engineers and contractors					
29	Contracting for architect and engineering design services					
30	Project bidding for public and private construction					
31	Subcontractor roles and responsibilities					
32	Types of construction pricing (unit price, lump sum, cost plus)					
33	Money flow (progress payments, retention, payment to subcontractors, joint checks)					
34	Changes, time and performance					
35	Liability, risk allocation and management, and indemnification					

**Relationship of Program Course Objectives to Outcomes**

**Objective:** The Civil (Environmental) Engineering program is designed to teach beyond the technical content of the curriculum and prepare the students to utilize what they learn in a professional setting. Engineering projects and research activities enlist skills and demonstrate ability to understand the subject matter and communicate in a proficient manner. This course contributes to the overall program goals in the following ways.

**Outcome.** Engineering programs must demonstrate that their students attain

		1	2	3	4	5
d	An ability to function on multi-disciplinary teams					
f	An understanding of professional and ethical responsibility					
g	An ability to communicate effectively					
h	The broad education necessary to understand the impact of engineering solutions in a global, economic, environmental, and societal context					
i	A recognition of the need for, and an ability to engage in life-long learning					
j	A knowledge of contemporary issues					