

ABET Course Syllabus
Course Information, Textbook and Supplementary Materials

Course Description: Legal aspects of property development and construction: land use, construction practices and specifications, architecture and engineering contracts, agency, subcontracting, professional registration, liability, insurance, liens, and bonds.

Elective for: BSCE

Recommended Preparation: CE 404 Business and Intellectual Property Law for Engineers; or a general business law course.

Required Textbook: *Legal Aspects of Architecture, Engineering and the Construction Process*, 7th ed, Justin Sweet and Marc Schneier, 2012 (Thomson Publishing)

Optional Textbook: *Buffalo Creek Disaster* (paperback)

Reference: Handout materials to be distributed by the instructor (Material Fee: \$TBA)

Topics Covered	Learning Outcomes
Students will have an in-depth examination of the legal and ethical issues involved in the construction and real estate development process, and be able to identify, formulate and solve legal issues in construction. The issues covered are:	
Legal Principles	<ol style="list-style-type: none"> 1. Structure of the American legal system (legislative, executive/administrative, judicial) 2. Ability to research basic legal issues 3. Improve non-quantitative analytical and decision making process
Contracts	<ol style="list-style-type: none"> 4. Basic principles of contract formation and interpretation 5. Application of contract principles in construction
Concept of Property	<ol style="list-style-type: none"> 6. Real property, tangible and intangible personal property 7. Real estate ownership (tenancies, community property), transfers and recording 8. Chain of title, liens and secured interests (mortgages and deeds of trust) 9. Land controls, zoning, subdivisions, and regulation 10. Use of property (easements, nuisance, trespass)
Employment and the Agency	<ol style="list-style-type: none"> 11. Distinctions between employees and independent contractors 12. Agency formation and termination, powers of attorney 13. Fiduciary duties of agent and principal (dual agency, disclosures, etc) 14. Rights and duties of agent to principal and third parties (contract and tort) 15. Workers' compensation insurance

Topics Covered	Learning Outcomes
Torts	16. Intentional Torts (e.g., assault and battery, invasion of privacy) 17. Negligence 18. Strict or products liability 19. Insurance and bonds 20. Indemnification and risk transfer in construction 21. Application of torts principles to construction
Business Forms	22. Basic business structures: proprietorship, partnership, corporation 23. Business management and control 24. Liability of owners and managers 25. Basic taxation principles

CE 412

Construction Law and the Property Development Process 3 Units USC | SONNY ASTANI DEPARTMENT OF CIVIL AND ENVIRONMENTAL ENGINEERING

Topics Covered	Learning Outcomes
Engineering and Construction Practice	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

Lecture and Lab Schedule			
Lecture		Lab	
Sessions per Week	Duration per Session	Sessions per Week	Duration per Session
1	3 hours	n/a	

Relation of Course Objectives to Program Outcomes

The Civil Engineering program is designed to teach beyond the technical content of the curriculum and prepare the students to

Course Contribution to Program Outcomes (a-k)	✓ Key
f. An understanding of professional and ethical responsibility.	
g. An ability to communicate effectively.	

utilize what they learn in a professional setting. This course contributes to the program outcomes as outlined in the adjacent table.	h. The broad education necessary to understand the impact of engineering solutions in a global economic and environmental and societal context.	
	i. Recognition of the need for, and an ability to engage in life-long learning.	
	j. Knowledge of contemporary issues.	

Prepared by: Dana Sherman, J.D., Senior Lecturer
Instructor, Civil and Environmental Engineering

Date: Spring 2014