

BASIC CONSTRUCTION LAW COURSE

Law 5397

Fall 2012

Instructors: Ben Westcott and Vijay D'Cruz

HOW TO REACH US:

You may e-mail Ben Westcott at ben.westcott@andrewsmyers.com or call him during business hours at (713) 850-4215 (office). You may e-mail Vijay D'Cruz at vdacruz@lockelord.com or call him during business hours at (713) 226-1551 (office).

COURSE LOCATION / TIME:

The class will be taught in Classroom _____ on Mondays and Wednesdays from 9:00 a.m. to 10:30 a.m. Please attend all classes if possible. Attendance according to school policy is expected.

COURSE MATERIALS:

The following course materials are required for the course:

Construction Law by William Allensworth, Ross T. Altman, Allen Overcash and Carol J. Patterson, eds., ABA Publishing, 2009 Edition.

The Course Outline identifies the chapters and materials to read for each class.

Materials such as selected articles or cases will be provided by e-mail or handed out during class.

COURSE GRADE:

The final exam will be a three-hour, short answer essay and multiple choice test.

Attendance and class participation will be a part of your grade.

COURSE OUTLINE:

1.	August 27	Introduction, Construction Law Scholarship, Terminology and Fundamental Relationships	Chapter 1 Chapter 2
2.	August 29	Owner Relationships	Chapter 3
Please read these cases very carefully: <i>U.S. v. Spearin</i> , 248 U.S. 132 (1918). <i>Lonegran v. San Antonio Loan & Trust Co.</i> , 104 S.W. 1061 (Tex. 1907); <i>Interstate Contracting Corp. v. City of Dallas, Texas</i> , 407 F.3d 708 (5th Cir. 2005).			
3.	September 5	Design Professionals	Chapter 6
4.	September 10	General Contractor, Subcontractors and Suppliers	Chapters 8 & 10
5.	September 12	Contracting for Construction Projects	Chapter 5
6.	September 16	Pricing Construction Contracts	Chapter 9
7.	September 18	Payment and Subcontractors and Suppliers	Chapters 14 & 10
8.	September 23	Contract Time and Completion	Chapter 11
9.	September 25	Time and Proof of Construction Delays	Chapter 12
10.	September 30	Architect Contract Administration	Chapter 13
11.	October 1	Design Agreements Administration	Chapter 7
12.	October 3	Changes	Chapter 16
13.	October 8	Texas Liens	Chapter 19 and read Chapter 53 of the Texas Property Code
14.	October 10	Insurance	Chapter 20

15.	October 15	Payment Bond Claims and Performance Bonds	Chapter 20 and read 2253 of the Texas Government Code
16.	October 17	Dispute Resolution - Mediation	Chapter 21
17.	October 22	Dispute Resolution - Litigation	Chapter 21
18.	October 24	Dispute Resolution - Arbitration	Chapter 21
19.	October 29	Construction Warranties	Chapter 22 and handouts
20.	October 31	Termination and Default	Chapter 18
21.	November 5	Defective Construction	Chapter 22
22.	November 7	Residential Construction Defects	Read Chapter 27 of Texas Property Code
23.	November 12	Damages – Part I	Chapter 24
24.	November 14	Damages – Part II	Chapter 24
25.	November 19	Economic Loss Rule	Chapter 23
26.	November 26	Case Analysis	Materials to be provided at a later date
27.	November 28	Case Analysis	Materials to be provided at a later date
28.	December 3	Review/Makeup	
29.	December 5	Review/Makeup	