

**CE 464/564 (3 credits) LEGAL ASPECTS OF CONTRACTING
SPRING 2026**

Dates: Monday and Wednesday

Time: 1:30 – 2:45 PM

Location: 1230 EB2

INSTRUCTOR

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Office Hours: M-W, 3-4:00 PM

TEACHING ASSISTANT

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COURSE OVERVIEW

Course Description

Legal aspects of contract documents, drawings and specifications; owner-engineer-constructor relationships and responsibilities; bids and contract performance, Labor laws; governmental administrative and regulatory agencies; torts; business organizations; ethics and professionalism.

Course Prerequisites

CE 464 (CE 365, CE 463)

CE 564 Graduate standing; credit for both CE 464 and CE 564 are not allowed

Course Purpose and Structure

CE 464/564 is intended to provide a practical introduction to the legal topics and issues related to the construction process; it is not intended to train the student as a construction lawyer. This course will present the theories, principles, and established rules that the student will likely encounter in the construction industry. The course will be taught primarily through lectures and group activities.

CE 464 Course Learning Objectives

- *Contract Issues* Identify the five necessary components to contracts; compare common construction contract documents, including subcontracts; evaluate the contractual impact of change orders and differing site conditions; determine the contractual impact of schedule changes, including delays and acceleration; identify the contractual requirements for contract completion, acceptance, and warranty; evaluate potential damages for contract non-compliance.
- *Management Issues* Explain the purpose of payment and performance bonds; evaluate the consequences of contract termination; identify the types of insurance commonly used in construction; identify regulations related to environmental and safety issues; identify and explain common labor issues, including union vs. non-union activity; identify and explain the various methods of dispute resolution.
- *Professional Issues* Identify common ethical dilemmas and formulate appropriate responses; identify the requirements for licensing as a Professional Engineer (PE) and a General Contractor (GC); determine the most appropriate delivery method for construction

contracts; evaluate common issues associated with construction contract competition and competitive bidding.

CE 564 Course Learning Objectives

- *Contract Issues* Identify the five necessary components to contracts; compare common construction contract documents, including subcontracts; evaluate the contractual impact of change orders and differing site conditions; determine the contractual impact of schedule changes, including delays and acceleration; identify the contractual requirements for contract completion, acceptance, and warranty; evaluate potential damages for contract non-compliance.
- *Management Issues* Explain the purpose of payment and performance bonds; evaluate the consequences of contract termination; identify the types of insurance commonly used in construction; identify regulations related to environmental and safety issues; identify and explain common labor issues, including union vs. non-union activity; identify and explain the various methods of dispute resolution.
- *Professional Issues* Identify common ethical dilemmas and formulate appropriate responses; identify the requirements for licensing as a Professional Engineer (PE) and a General Contractor (GC); determine the most appropriate delivery method for construction contracts; evaluate common issues associated with construction contract competition and competitive bidding.
- Explore application of new knowledge by providing a deeper understanding of legal aspects of construction through the critical analysis of a construction legal case.
- Assist students in honing their written skills using contracting terminology and legal prose.

READING

Required Text (free download)

Smith, Currie & Hancock's Common Sense Construction Law: A Practical Guide for the Construction Professional, 5th Edition, John Wiley & Sons, Inc., 2015.

e-Reserve: Refer to SMITH, CURRIE & HANCOCK'S COMMON SENSE CONSTRUCTION LAW: <https://ebookcentral.proquest.com/lib/ncsu/detail.action?docID=1865616>

Other Reading Materials (Available through Moodle—login through wolfware.ncsu.edu)
Supplemental reading on relevant issues will be required throughout the course.

PRERECORDED LECTURES ON PANOPTO

CE 464-564

You can view the recorded lectures in your classroom content folder at (CE 464):

<https://ncsu.hosted.panopto.com/Panopto/Pages/Sessions/List.aspx#folderID=25d3806c-89d7-4fe8-93ac-b3b001263dbc>

Or try:

<https://ncsu.hosted.panopto.com/Panopto/Pages/Sessions/List.aspx#folderID=%2225d3806c-89d7-4fe8-93ac-b3b001263dbc%22>

You are allowed to opt-out of recorded class sessions, and participate through other means such as watching the pre-recorded lecture, if you do not feel comfortable having a recording identifying you in the class. “Students may be required to disclose personally identifiable information to other students in the course, via digital tools, such as email or web-postings, where relevant to the course. Examples include online discussions of class topics, and posting of student coursework. All students are expected to respect the privacy of each other by not sharing or using such information outside the course.”

ASSIGNMENTS (Available through Moodle—login through wolfware.ncsu.edu)

Homework

In order to guide the student through the required reading, homework assignments will be given prior to the reading assignment for the class period. Each homework assignment will consist of short answer questions from the required reading. There will be 18 homework assignments throughout the semester and each must be submitted according to the dates shown in Table 1.

Term Project

For this assignment, you will work in teams to assemble a portfolio of construction contract documents for a hypothetical construction project case study with numerous contractual events.

Exams

In order to demonstrate mastery of the course material, there will be three tests given by the instructor. Although the tests are not necessarily cumulative, the material in the course builds upon itself; thus, the student may need to be familiar with material from the first test in order to successfully complete material on the third test. The tests will be given in class according to the dates in Table 1.

Legal Case Summary (CE 564 only)

In order to see how classroom knowledge relates to real-world events, each graduate student is required to submit one paper based on a relevant construction legal case. In addition to seeing the application of new knowledge, another purpose of the papers is to help students improve their writing skills. The paper will be four to six pages in length and will be submitted at the end of the semester.

COURSE GRADES

The overall course numerical grade will be calculated based on a weighted average as follows:

CE 464		CE 564	
Homework (18 assignments)	15%	Homework (18 assignments)	15%
Tests (3 @ 20% each)	60%	Tests (3 @ 20% each)	60%
Term Project (1 @ 25%)	25%	Term Project (1 @ 15%)	15%
Legal Case (Not Required)	NA	Legal Case (1 @ 10%)	10%
Total	100%	Total	100%

Final course numerical grades will be rounded to two decimal places for assigning letter grades. Letter grades assigned will be no lower than:

A+ (97-100)	A (93-96.99)	A- (90-92.99)
B+ (87-89.99)	B (83-86.99)	B- (80-82.99)
C+ (77-79.99)	C (73-76.99)	C- (70-72.99)
D+ (67-69.99)	D (63-66.99)	D- (60-62.99)
F (less than 60)		

POLICIES AND PROCEDURES

Professionalism

Each student is expected to conduct themselves in a professional manner. This includes, but is not limited to, arriving to class on time and staying for the full duration; being respectful of the instructor and other students; participating in group activities and discussions; refraining from the use of laptop computers, cell phones, and text messages. Furthermore, oral and written communication with the instructor and other students is expected to be at a professional level.

Attendance

All students are encouraged to attend class in person. I will use a sign in sheet each class period but will not use it to determine your grade.

Late Assignments

Unless agreed upon with the instructor prior to the assignment due date, late assignments will not be accepted and will result in a zero for the assignment. If it is necessary to submit a late assignment, please discuss the situation with the instructor as soon as possible; the instructor will evaluate each situation on a case-by-case basis.

Re-Grading of Assignments

If the student feels that a portion of an assignment has been unfairly graded by the instructor, the student may re-submit the assignment to be re-evaluated by the instructor within one week after it was originally returned to the student. However, the instructor reserves the right to re-grade the entire assignment and not just the portion that is in question by the student. Thus, it is possible for the student to receive a revised final grade on the assignment that is lower than the grade that was received originally.

Academic Integrity

It is the instructor's expectation that each student will neither give nor receive unauthorized aid on any assignment. Students may discuss the homework assignments if they wish but each student is expected to submit their own assignment. For the tests, use of the text book, course notes, or other material is typically not allowed unless specified by the instructor. For the CE 564 paper assignment, ***proper citation must be given for other people's ideas and work; plagiarism will not be tolerated and will result in a zero for the assignment.*** "Violations of academic integrity will be handled in accordance with the Student Discipline Procedures ([NCSU REG 11.35.02](#))."

Students with Disabilities

"Reasonable accommodations will be made for students with verifiable disabilities. In order to take advantage of available accommodations, students must register with the Disability Resource Office at Holmes Hall, Suite 304, 2751 Cates Avenue, Campus Box 7509, 919-515-7653. For more information on NC State's policy on working with students with disabilities, please see the Academic Accommodations for Students with Disabilities Regulation (NCSU [REG 02.20.01](#))."

Additional NC State Rules and Regulations

“Students are responsible for reviewing the NC State University Policies, Rules, and Regulations (PRRs) which pertain to their course rights and responsibilities, including those referenced both below and above in this syllabus:

- Equal Opportunity and Non-Discrimination Policy
Statement <https://policies.ncsu.edu/policy/pol-04-25-05> with additional references at <https://oied.ncsu.edu/divweb/policies/>
- Code of Student Conduct <https://policies.ncsu.edu/policy/pol-11-35-01>.”

Table 1. Schedule for Lectures, Reading, and Deliverables (1)

Week	Lecture	Date	Topic	Reading	Deliverable
1	0	Monday, January 12, 2026	Course Overview (virtual)		
	1	Wednesday, January 14, 2026	No Class		
2	2	Monday, January 19, 2026	Martin Luther King Holiday		
	3	Wednesday, January 21, 2026	Construction Industry Overview/Contracting Relationships (Assign Contract Document Assignment--HW 4 create teams)	Ch. 3; (White Chapter 6); White vs. Edsall	HW 1
3	4	Monday, January 26, 2026	Legal Context of Construction	Ch. 1; (White Chapter 1; White vs Edsall; Verdit Lacking Common Sense)	HW 2
	5	Wednesday, January 28, 2026	Contract Basics	Ch. 2	HW 3
4	6	Monday, February 2, 2026	Contract Documents; Contract document presentations	Ch. 15 (Hinze Chapter 10; Gen'l and Supp. Conditions); contract document self-review	HW 4
	7	Wednesday, February 4, 2026	Owner-Designer Relationship	Ch. 9; Hyatt Regency Case	HW 5
5	8	Monday, February 9, 2026	Owner-Contractor Relationship	Ch. 7	HW 6
	9	Wednesday, February 11, 2026	Review for Exam #1		
6	10	Monday, February 16, 2026	Exam #1		
	11	Wednesday, February 18, 2026	Review Exam #1; Differing Site Conditions (Assign Legal Case—graduate students)	Ch. 12 (additional reading)	HW 7
7	12	Monday, February 23, 2026	Labor and Employment Issues (Megan Demeny—in class)	Ch. 21	HW 8
	13	Wednesday, February 25, 2026	Schedules, Delays, and Acceleration (Brian Schoolman—prerecorded)	Ch. 13 (additional reading)	HW 9
8	14	Monday, March 2, 2026	Contractor-Subcontractor Issues (Heath Kent and Kevin Smith—in class) (Assign Term Project for all Students)	Ch. 10 (additional reading)	HW 10
	15	Wednesday, March 4, 2026	Contract Changes	Ch. 11	HW 11

9	16	Monday, March 9, 2026	Contract Document Management with Procore (Sina Gholami—in class)		
	17	Wednesday, March 11, 2026	Proving Costs and Damages	Ch. 18 (additional reading)	HW 12
10		Monday, March 16, 2026	Spring Break		
		Wednesday, March 18, 2026	Spring Break		
11	18	Monday, March 23, 2026	Review for Exam #2		
	19	Wednesday, March 25, 2026	Exam #2		
12	20	Monday, March 30, 2026	Review Exam #2; Construction Insurance	Ch. 20	HW 13
	21	Wednesday, April 1, 2026	Dispute Resolution	Ch. 23 (additional readings)	HW 14
13	22	Monday, April 6, 2026	Inspection, Acceptance, Warranties, and Commissioning	Ch. 14	HW 15
	23	Wednesday, April 8, 2026	Environmental/Safety Issues	Ch. 19	HW 16
14	24	Monday, April 13, 2026	Bonding and Lien Laws (Brian Schoolman—in class)	Ch. 16 and 17	HW 17
	25	Wednesday, April 15, 2026	Digital Contract Issues (Brian Schoolman--prerecorded)	(additional readings)	
15	26	Monday, April 20, 2026	Ethics; Licensing (PE and GC) and Professionalism	Samuels Chapter 11; Sweet Chapter 10; NC GC Laws and Regulations; PE Regulations	HW 18
	27	Wednesday, April 22, 2026	Graduate Student Case Study Presentations		Document assignment due in Notebook format; Graduate Case Study due in Moodle
16	28	Monday, April 27, 2026	Student Case Study Presentations; Review for Final Exam		
	29	April 30 – May 8 , 2026	Friday, May 1 12pm -2:30pm		

(1) The course schedule is subject to change with appropriate notification to students.