

## CONTRACTS AND ARBITRATION

**Course Code: 13CE2102**

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**4 0 3**

### **Course Outcomes:**

At the end of the course, the student will be able to:

- CO1 : Discover the need for standard specifications and their interpretation with reference to a contractor.
- CO2 : Summarise the knowledge about different types of contract, their application, preparation, tendering, and awards.
- CO3 : Discuss the Indian Contract Act and other international standard contracts.
- CO4 : Associate the basic knowledge on different laws applicable to construction contracts.
- CO5 : Apply the basic knowledge on disputes and their resolutions.

### **UNIT-I**

#### **CONSTRUCTION SPECIFICATIONS**

Standard specifications, development and interpretation.

### **UNIT- II**

#### **CONTRACTS AND MANAGEMENT OF CONTRACTS**

Types of engineering contracts, procurement philosophy - Definition and essentials of a contract - Clauses for contracts – Types of engineering contracts and its formulation -Preparation of tender documents – Issues related to tendering process –Awarding contract.

### **UNIT- III**

#### **CONTRACT LAWS**

Provisions of contract law, Indian Contract Act 1872 – Breach of contract. Contracts for projects under International AID. Performance of Contracts- Time of performance - Discharge of a contract – Classification of contracts – Extras and variations in engineering contracts.

### **UNIT- IV**

#### **LAWS RELATED TO CONSTRUCTION INDUSTRY**

Labour and Industrial laws – Payment of Wages Act, Contract labour Workmen’s Compensation act – Insurance, Industrial dispute act.

**UNIT- V****ALTERNATIVE AND DISPUTE RESOLUTION**

**Arbitration of engineering contracts:** Indian Arbitration Act 1940 – Issues in arbitration process – Institutional arbitration

**Alternate dispute resolution and arbitration:** The arbitration and reconciliation ordinance 1996 – Law on contracts 1994

**TEXT BOOKS**

1. “*Codes of Practice and Standard Specifications*” of AP PWD, CP WD, MES etc.,
2. B.J. Vasavada, “*Engineering Contracts and Arbitration*”, 2<sup>nd</sup> Edition, Jubilee Publications, 1996.
3. G.T. Gajaria “*Laws relating to Building and Engineer’s Contracts*” 1<sup>st</sup> Edition, M.M. Tripathi Private Limited, Mumbai, 1985.

**REFERENCES**

1. Roshan Namavat “*Professional Practice*”, 5<sup>th</sup> Edition, Published by Anupbhai Publications, Mumbai, 1996.
2. M.O’c Horgon and F.R. Roulstion “*Project Control of Engineering contracts E and FN, SPON, NY*, 2<sup>nd</sup> Edition, 1988.
3. K. Collex, “*Managing Construction Contracts*”, 5th Edition, Reston Publishing Company, Virginia, 1982.
4. W.B. Park “*Construction Bidding for Projects*”, 1<sup>st</sup> Edition, John Wiley, Ny, 1978.
5. "Latest Amendments to latest versions of Building Bye-Laws and Engineering Contract Laws".