

Construction Law and Dispute Resolution

Day 1: Introduction to Construction Law & Legal Frameworks

Objective: Understand the legal principles and regulatory environment governing construction projects.

Session 1: Overview of Construction Law

Importance of construction law in project delivery

Legal systems: civil vs. common law

Sources of construction law (statutes, contracts, case law)

Session 2: Roles and Responsibilities in Construction Projects

Employer, contractor, consultant, subcontractors

Legal obligations and liabilities of parties

Session 3: Regulatory Frameworks and Compliance

Local construction laws and building codes

Health & safety regulations

Environmental and zoning considerations

Day 2: Construction Contracts & Risk Allocation

Objective: Explore key provisions in construction contracts and how risk is allocated.

Session 1: Standard Forms of Construction Contracts

FIDIC, JCT, NEC, AIA, local forms

Choosing the right contract for the project

Session 2: Key Contractual Clauses

Scope, variations, time for completion, liquidated damages

Force majeure, termination, dispute resolution clauses

Session 3: Risk Allocation and Contract Management

Allocating design, delay, cost, and liability risks

Contract administration and record keeping

Day 3: Claims Management in Construction Projects

Objective: Learn how to prepare, assess, and defend claims in construction.

Session 1: Types of Construction Claims

Delay claims (EOT), disruption, acceleration, variation claims

Claims for defects and loss of productivity

Session 2: Claim Preparation and Documentation

Notice requirements

Evidencing claims: records, logs, correspondence

Calculating quantum and substantiating claims

Session 3: Defending Against Claims

Counterclaims and set-offs

Using project data and legal strategies

Day 4: Dispute Resolution Mechanisms

Objective: Understand how disputes arise and how to resolve them efficiently.

Session 1: Dispute Resolution Methods

Negotiation, mediation, adjudication, arbitration, litigation

Choosing the right method for the dispute

Session 2: Arbitration in Construction

Domestic and international arbitration rules (ICC, UNCITRAL, LCIA)

Role of arbitral tribunals and enforceability of awards

Session 3: Adjudication and Dispute Boards

Statutory adjudication (e.g., UK's Construction Act)

Dispute Avoidance/Adjudication Boards (DABs, DRBs)

Day 5: Risk Management, Ethics, and Legal Trends

Objective: Learn proactive legal risk management and stay updated on industry legal trends.

Session 1: Legal Risk Management in Construction

Identifying and mitigating legal risks

Contractual and project controls

Session 2: Ethics and Professional Responsibility

Conflict of interest, anti-corruption, code of conduct

Roles of legal and non-legal professionals

Session 3: Recent Developments in Construction Law

Case law updates and landmark rulings

Impact of technology (e.g., BIM, smart contracts, ESG compliance)

