

PROJECT MANAGEMENT



Contract Terms and Conditions

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Contract Terms and Conditions

Introduction:

This BTS Contract Terms and Conditions training course covers the contracting process from contract award, through planning and management to contract close-out and resolution of disputes. The intention is to develop a delegate's existing skills in a wide range of contract management situations, and to allow participants to have an awareness of practices in many business sectors including construction, petroleum, engineering and other industries.

This BTS training course is designed to:

- Explore the advanced skills and practices to enhance performance in contract development and management
- Enable participants to practice and develop their contract management skills
- Help participants to begin immediate implementation of the steps needed to create maximum total value for their organization

Methodology

The Advanced Contracts Management training course will include a range of lively and interactive training methods, including exercises, role plays, case studies, practice sessions and group discussions. The learning experience will be grounded on instructor-led presentations that highlight key issues to focus on, and supported by a reference manual containing examples of best practice. Discussions will enable participants to share their own experiences with the rest of the group.

Who Should Attend?

This intensive 5 day BTS training course is suitable for experienced functional managers and staff involved in roles such as:

- Contract management
- Project management
- Design management
- Construction management
- Procurement management
- Commercial management
- Finance management

And all others who are involved in the acquisition of materials or equipment, or the management of suppliers and contractors delivering services.

Course Objectives:

By the end of this course, delegates will be able to:

- Select appropriate type and form of contracts for different situations
- Understand the legal framework in which contract management takes place
- Understand the contract complexities that need managing
- Explain the practical steps in obtaining and analysing performance data
- Be more effective in contract management activities
- Anticipate problems and manage risks
- Integrate contract management with contract needs
- Understand the best means of handling claims, disputes and performance issues

Course Outline:

Day 1 - Understanding the contract

- Overview of the tendering and contract award process
- Understanding contracts – *a refresher on legal requirements for a contract*
- Formal and Informal Contractual documents, including
 - Standard terms and conditions
 - Letters of intent
 - Letters of comfort
- The specification and scope of work – *linkage to price and payment*
- Recognising where the contract risks lie
- Tools and techniques to manage contract risks

Day 2 - Key skills of contract management

- The role and value of an effective contract manager
- Implementing the new contract
- Effective Review processes
- Inspection and certification of contractual performance
- Managing suppliers of professional services
- Working with contract management reports
- Using KPIs in effective contract management

Day 3 - Model Contracts and Terms

- Selecting the right model for the contract
- Standard form Contracts – ICC, FIDIC, NEC and others
- Force Majeure clauses
- Indemnities and Insurance clauses
- Warranty clauses
- Bonds and Guarantees
- Contract variation clauses

Day 4 - Managing Price and Contract Variations

- Managing Price escalation
- Getting a breakdown of costs

- Cost and price analysis techniques
- Tracking changes
- Managing variations to the work
- Changes to timing, accelerating delivery
- Increase or decrease in scope
- Changes to work methods
- Negotiation techniques for price and contract variation management

Day 5 - Managing claims and disputes

- Typical contract claims – *scope, delay, quality, payment*
- Implementing penalties or service credits
- Liquidated and unliquidated damages
- Termination and other methods of dealing with default
- Defects Liability Management
- Dispute Resolution – *tools and techniques to use*
- Contract closeout