



## Understanding & Implementing Contract Obligations & Administration Best Practices

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# Understanding & Implementing Contract Obligations & Administration Best Practices

## Introduction:

Contract administration or contract management involves the drafting, reviewing, revising, and analyzing contracts, as well as implementing systems and using software designed to ensure accurate tracking and recordkeeping regarding the fulfillment of contractual obligations. Those who work in this area must be well-versed in contract law and in office practices and procedures applicable to contract law practice. In addition to a thorough knowledge of contract law, the areas of substantive law identified by those working in this field as most often encountered include administrative law, business organizations, entertainment/media law, insurance, labor relations, and real property. The overall aim of this course is to provide participants with the knowledge, concepts, skills and tools necessary to manage and administer contracts post award. Participants in this interactive course will learn all the processes and activities required to implement contractual obligations. The course will also cover contract administration best practices.

## Who should attend?

Procurement Managers, Purchasing Staff, Engineering, Operational and Maintenance Personnel, Contracts Engineers, Administrators, and Managers, Commercial, Financial and Insurance Professionals, Project and General Management, Contracts & Contracting Unit Professionals, Project Professionals, Procurement & Purchasing Staff, Purchasing Professionals and Procurement Officers, Commercial Professionals, Contract Administrators, Contract Administration Professionals, Contract Managers and Contract Professionals, Supply officers, Buyers, Project Coordinator's, Project

Managers and other Project Professionals, Claims Personnel, Legal Advisers, Contract Strategists, Business Audit Officers, Engineers, Project Construction Professionals, Contract Administrators, Contract Professionals and Project Coordinators, Buyers, Purchasing Professionals and Procurement Officers, Contracts Managers, Project Managers, Tenders, Contracts, Buyers, Purchasing, Financial Personnel, Tendering, Purchasing, Project Management Professionals, Engineering, Operational, Trade, Finance, and Maintenance Professionals, all others who are involved in the planning, evaluation, preparation and management of tenders, specifications, awards, and contracts that cover the acquisition of materials, equipment, and services and who are in organizations whose leadership want high levels of competency in those involved in these activities, those from a Project Management or General Management background who do not think they have sufficient understanding of contract issues, those new to the function, preparing for a major project, or experienced managers looking for a refresher, anyone involved in the management of risk, those involved in implementing and administering contracts and handling claims and change orders; also those involved in any conflict or dispute with a contracting party and interested to learn how to avoid or resolve these contractual issues, those involved in contract and business related negotiations, those involved in any aspect of implementing, managing or administering contracts in the post-award phase.

## **Course Objectives:**

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

- Apply and gain an in-depth knowledge on contract administration understanding and implementing contracting obligations
- Identify the major activities and steps of contract administration

- Identify administration tools and the roles of the contract administrator
- Recognize the main contractual provisions and analyze their effects on the implementation
- Establish an evaluation system for the contractors to determine their strengths and weaknesses
- Explain the different types of claims, damages and liabilities
- Demonstrate the importance of partnership and negotiation in contract administration
- Prepare for negotiating the scope of work and the terms and conditions of the contract
- Outline the major activities and steps of contract administration
- Identify administration tools that are used during the implementation as well as the role of the contract administrator
- Create a system to evaluate contractors and determine their strengths and weaknesses
- Explain the different types of variation orders, claims and damages
- Demonstrate the importance of partnership in contract administration
- Prepare for negotiating contract variations and claims in order to reach a satisfactory settlement

## **Course Outline:**

### **Principles of Contracts**

- Objectives and definitions
- Contract framework
- Purposes of contract administration
- Elements of a contract
- Difficulties encountered in contract administration
- Contract administration major steps

- Competencies of contract administrators

## **Contract Administration Tools**

- Key principle
- Knowing your contract
- Contract provisions affecting implementation

## **Tools and Techniques for Contract Administration**

- Dissection technique
- Issues and risks logs
- Records management system
- Contract change control system
- Roles and responsibilities
- Performance reporting
- Developing schedule plans
- Risk management plans
- Lessons learned

## **Contractor Evaluation**

- Evaluating contractor's performance
- Contractor's ratings
- Key performance indicators
- Targets and benchmarks

## **Claims and Disputes**

- Changes and variation orders
- Claims and disputes

- Breach of contract
- Money damages
- Equitable remedies
- Alternative dispute resolution (mediation and arbitration)
- Contract termination
- Contract closeout

### **Partnership with Contractor**

- Partnering definition
- Features of partnership
- Strategic alliance
- Elements of partnership
- Partnering issues

### **Negotiation**

- Negotiation preparation
- Negotiation objectives
- Negotiation guideline