

PROJECT MANAGEMENT

BTS
Training & Consultancy



Advanced Contract Management: Planning Strategy, Development, Legal, Negotiation, dispute, Claims, Counter Claims, Risk & Administration

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Advanced Contract Management: Planning Strategy, Development, Legal, Negotiation, Disputes', Claims, Counter Claims, Risk & Administration

Introduction:

The programme 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 programme is designed to:

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Training Methodology

The programme 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?

The workshop will benefit those who are responsible for managing contracts that are complex, high value, and/or high risk, and generally, those who wish to develop their existing capability in contract management. It is assumed that participants in this workshop have some contract management experience and that they wish to further develop their understanding of contract management tools and techniques.

Course Objectives:

- 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.

Programme Outline:

Day1 - 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
- Recognizing where the contract risks lie
- Tools and techniques to manage contract risks

Day2 - 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

Day3 - 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

Day4 - 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

Day5 - Managing claims and disputes

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