

# PROJECT MANAGEMENT



 **BTS**  
Training & Consultancy

## The Complete Course on Contracts Management

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# **The Complete Course on Contracts Management**

## **Introduction:**

Commercial and business relationships are based on contracts of one type or another. These are becoming increasingly complex, and as trade becomes ever more international, the differences in approach between different legal and contracting systems becomes a greater issue. All business professionals need to understand what a contract does and does not require them and the other party to the contract to do, and the consequences for both parties of any failure. This course is intended to provide an understanding of contracting in the English language, but in an international context.

This course will enable the candidates to improve their understanding of the role of contracts within a business, and how strategies can be developed to improve the commercial outcomes, and the management of contracts. The course will also give delegates the opportunity to consider the latest international thinking in dispute resolution, and how this can be used in everyday business life to reduce conflict and the costs and delays associated with more conventional approaches.

## **Who Should Attend?**

Contracts, Purchasing, and Project Personnel, Engineering, Operational, and Maintenance Personnel, Project and Contracts Management Professionals, Tendering, Purchasing, Contract Administration Professionals and Personnel, Engineering, Operational, Finance, Maintenance Professionals, Managers and executives in the procurement, finance, legal, risk and supplier relations department, Business Managers, Commercial staff, Project Engineers, Procurement staff, Legal staff, Contracts analysts & Officers, Contract Leaders & Engineers, Cost & Planning Engineers, Contract Administrators, Contracting Unit Supervisors, Contract Strategists, Project Managers, General Managers involved in contract negotiation and disputes, Commercial Managers, Buyers, Purchasing Managers, Tenders Managers, Supply Chain Managers & Executives, Procurement Managers & Personnel, Construction Managers.

## Course Objectives:

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

- Develop an understanding of the role of contracts in the business world
- Explain how contracts are structured
- Examine current thinking on contracting structures in an international context
- Improve understanding of the main terms and conditions of contracts
- Understand the importance of change management and control
- Develop appreciation of the collateral documents that work alongside contracts; including bonds, guarantees, letters of intent etc.
- Review the latest international thinking in alternative methods of dispute resolution

## Course Outline:

### **What Contracts are & How They are Created**

- The need for contractual relationships
- What is needed to create a valid contract?
- The tender process
- Involvement of agents
- What happens if there is no contract, but work is carried out anyway?
- Making contracts enforceable

### **Structure of Contracts**

- Form of Agreement
- General Terms and Conditions
- Special Terms and Conditions

- Schedules or Appendices
- Title (ownership) and risk of damage
- Notices and other formalities
- Which law and which courts?
- Different contractual structures

### **Collateral Documents**

- Bonds and guarantees
- Retention/Withholding
- Letters of intent
- Letters of award
- Letters of comfort or awareness
- Insurance policies
- Assessing the need for financial security in the current economic climate

### **Changes, Delays & Disruption**

- Changes to the Contract documents
- Need for consent
- Assignment/Novation explained and distinguished
- Waiver
- Changes to the scope
- Variation clauses
- Notice provisions

- Valuation of variations and changes
- Claims – what they are, and how they arise
- Delay and disruption
- Delay caused by client
- Delay caused by contractor/supplier
- Force majeure

### **Resolving Disputes**

- Negotiation
- Staged dispute resolution clauses
- Litigation
- Arbitration
  - New best practices in dispute resolution