PROJECT MANAGEMENT

BTS
Training & Consultancy

Contract Management for Non-Legal Professionals

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Contract Management for Non-Legal Professionals

Introduction:

Every business and organization is based on the underlying contractual structures which they adopt. The precise type of contractual structure employed varies from the simplest agreement to the more complex project documentation. The drafting and formation of these contracts are often left to the legal and experienced professionals but the organization's other individuals are left to manage the actual project or contract. These individuals need to understand the workings of the contract and the reasoning for the type of contractual structure used. This course covers essential fundamentals of contract management and contract analysis for non-contract professionals and personnel. It commences with consideration of the different types of contract structure and risk. It then moves on to consider the some of the fundamental clauses that are key concerns for good contract management. We then look at some of the techniques we can use to solve disputes and disagreements between parties to the contract whilst focusing on the need to save essential business relationships. In this course you will study:

- Different types of contractual structure
- The skills of contract management
- The secrets of interpreting contracts
- Techniques for protecting the organization through the use of contracts

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:

- Understand the structure and purpose of contracts
- Explain how different contract structures can be used to cover different risks
- Enhance knowledge of important contract terms and conditions
- Explain some of the dangers that exist within commonly-used contract clauses
- Understand the best way to create contracts and see the downside of not doing so
- Develop a heightened awareness of contract management issues
- Build a practical understanding of the role and importance of stakeholders
- Understand risk and the process of its mitigation
- Understand own preferences in conflict management
- Develop negotiation skills to capture more value in contract negotiations

Course Outline:

The Structure of Contracts

· Formation of a contract

· The dangers of oral contracts

· Contract components

· Traditional contract structures

- Modern contract structures

- How to deal in today's unsettled world economy

Important Contract Provisions

- Standard of work

- Controlling subcontractors

- Extensions of time

- Force Majeure

- Changes and variations

Collateral Documents

- Letters of Intent

- Letters of Award

- Bonds and Guarantees

- Parent Company Guarantees

- Choice of Law

- Choice of Courts

Payment and Breach of Contract

- Payment terms

- Dangers of late payment

- Breach of contract

- Types of damages

- Liquidated damages

- Negotiating solutions to contract management issues

Termination and Dispute Resolution

· Suspension

· Termination

· Litigation

· Arbitration

· Mediation

  · Expert Determination