

Contract Excellence for Non-Legal Professionals

Date

18 February -22 February
2024

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Why Choose this Training Course?

This course is intended to allow professionals and managers with a background other than law or contracts to better understand the processes and issues involved with contracting, and therefore improve their overall management skills. Every organisation relies on contracts to protect the interests of the company and manage risk effectively. It is imperative that everyone in the organisation understands the issues and processes involved in a contracting scenario.

This course will feature:

- The benefits of understanding contracts
- How contracts can be developed
- Different contracting structures
- How contracts allocate and manage risk
- Examination of specific contract clauses

What are the Goals?

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

- Recognise the structure and purpose of contracts
- Show how different structures can be used in different situations
- Improve the ability of managers to communicate with contracts personnel
- Illustrate some of the pitfalls that exist within commonly-used contract clauses
- Construct and control contract negotiations and management

Who is this Training Course for?

This course will benefit all levels of personnel in a contracting scenario. It will enable them to understand the contract and to be aware of the different issues and risks associated with contracting.

This course is suitable to a wide range of professionals but will greatly benefit:

- Engineers

- Project or Construction professionals
- Tenders, Contracts, Buyers, Purchasing, Financial personnel,
- 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

How will this Training Course be Presented?

This course will utilise a variety of proven adult learning techniques to ensure maximum understanding, comprehension and retention of the information presented. This includes high levels of participant discussion, group interaction, delegate group exercises and case studies. The training is designed to be dynamic and highly interaction as well as educational.

Delegates are encouraged to raise their own issues and problems faced within their industry or organisations for discussion on a confidential basis. There will be time allocated for one to one discussions with the experienced and knowledgeable trainer.

The Course Content

Day One: The Basis of Contracting

- Why we use contracts
- Legal requirements for a valid contract
- Oral contracts
- Electronic contracts
- Terms and conditions of the contract
- Authority to contract

Day Two: Risk and Different Contracting Types

- How to assess and manage risk
- Traditional contract types
- Modern contract types
- Bonds and Guarantees
- Letters of Intent
- Which Law?

Day Three: Major Contract Terms

- Obligation to perform
- Defective goods
- Liability issues
- Indemnities and Insurance,
- Intellectual property
- Force Majeure

Day Four: Changes and Variations, Payment and Close-out Issues

- Changes and Variations

- Payment issues
- Letters of Credit
- Warranty claims
- Suspension and Termination
- Contractual issues on close out

Day Five: Negotiation, Avoidance and Resolution of Disputes

- Negotiation, compromise and settlement
- Litigation
- Arbitration
- Mediation
- Expert Determination
- Dispute Review Boards



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