

# Construction Contracts Masterclass

## INTRODUCTION

- This Construction Contracts Masterclass training seminar enhances and develops expertise in construction contracting. Construction projects have a history of contractual disputes and conflict. These problems have reduced the efficiency and profitability of developments. Both engineering and construction tend to attract contractual problems because of the complex nature of the work itself, and also the complicated commercial arrangements involved.
- The purpose of this Construction Contracts Masterclass training seminar is to help delegates understand the reasons why such problems arise, and how to avoid them in the future. Many contracts are now being conducted in a different way to the traditional approach, and this training seminar will explore modern techniques for contracting as well as highlights risks and pitfalls. By undertaking this course you will become more efficient and effective at construction contracting.

This Construction Contracts Masterclass training seminar will highlight:

- Exploring major issues in engineering and construction contracting
- Analyze why things so often go wrong
- Discussion of ways to improve
- Explain how a more collaborative approach might benefit engineering and construction projects
- Analysis of real issues from real projects

## OBJECTIVES

At the end of this training seminar, you will learn to:

- Understand how contracts work, and why they sometimes cause problems
- Address specific clauses and provisions that are a common source of problems
- Develop thinking around more collaborative approaches to achieve success
- Analyze the dangers that such approaches bring, and how to minimize problems
- Understand how to resolve disputes quickly and efficiently

## TRAINING METHODOLOGY

- This training seminar will be delivered using a mixture of trainer-led discussion, using real examples wherever possible, and group exercises to develop new ways of thinking around the whole issue of engineering and construction contracts and their associated problems. The training seminar will be highly interactive and will encourage delegates to bring their own scenarios and issues for discussion with an experienced practitioner.

## **ORGANISATIONAL IMPACT**

This training course will deliver the following benefits:

- Enhanced understanding of contractual issues involved in engineering and construction contracts
- More efficient contracts
- A wider range of possible contracting options
- Resolving disputes quicker and more efficiently
- Projects will be more successful
- Reduced project times and improved profitability

## **PERSONAL IMPACT**

This training course will deliver the following benefits:

- Better understanding of the problems that can arise and how to avoid them
- Deeper appreciation of how to create solution to problems
- Knowledge of modern methods for contracting for engineering and construction projects
- Understanding how greater collaboration can, if handled properly, reduce conflict
- Better skills and techniques for resolving disputes
- Wider skill base, meaning greater scope for career development

## **WHO SHOULD ATTEND?**

- Project Managers
- Contract Managers
- Contract Personnel
- Construction Professionals
- Cost Consultants and Quantity Surveyors
- Procurement Personnel
- Project Engineers
- Contract Engineers
- Anybody involved in construction and engineering contracts

## **Course Outline**

Different Contracting Structures

- Issues with construction and engineering contracts
- Traditional contracting structures
- Modern contracting structures
- Use of standard forms
- Different legal systems

## Issues in Engineering and Construction Contracts

- Problems with competitive tendering
- Standard of work
- Design Responsibility
- Fitness for Purpose
- Indemnities
- Insurance

## Claims and Variations

- Programme of work
- Scope of work variations
- Extension of time
- Concurrent delay
- Force Majeure

## Liability

- Copyright in plans
- Limits of Liability
- Contract Liability
- Liquidated damages and penalties
- Liability under law

## Resolving Disputes

- Amicable settlement
- Litigation
- Arbitration
- Expert Determination
- Termination