

# Effective Project Contracting

## INTRODUCTION

- Project contracting arrangements play a vital role in the successful execution of the project; identifying and effectively managing the key risk areas can reduce costs and the potential for disputes, thus improving the efficiency of your organisation.
- This highly interactive Effective Project Contracting training seminar identifies how your organisation can balance risk through the use of the most appropriate contracting strategy for your project, and focuses on how best to deal with key liability issues to bring your projects within time and budget. It also features how to monitor and manage performance failures, and provides tools, tips and techniques on effective resolution of disputes to minimize cost and reputational risk exposure to your organisation.

This training seminar will highlight:

- The use of different procurement and contracting strategies
- Handling key risk areas in the procurement process
- Managing principal liability issues
- How change can be best managed
- Ways to deal with performance failures
- Managing claims and resolving disputes

## OBJECTIVES

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

- Identify the most appropriate contracting strategy
- Assess and manage key contractual risks
- Recognize the causes of, and how to deal with change
- Compare ways of dealing with performance failures
- Evaluate the most appropriate course of action when disputes arise

## TRAINING METHODOLOGY

- Participants will gain greater knowledge through presentations by an experienced international practitioner designed to both educate and challenge. Extensive use will be made of case studies and real examples of contracts and projects. Open and instructive group discussions will also be facilitated encouraging delegates to raise questions, and share their own experiences.

## ORGANISATIONAL IMPACT

- Projects often require complex contractual arrangements, assessing the issues and how to deal with them can be a daunting task.
- Your organisation will benefit by:
- Expanding traditional procurement options to promote project goals
- Developing an appreciation of the risks of using different types of contracting strategy
- Enhancing internal capacity to assess and manage key contractual risks
- Minimizing the time and cost impact of changes and external events
- Ensuring better monitoring and managing of performance issues
- Exploring alternative ways of reducing the impact of disputes

## PERSONAL IMPACT

- Broadening your knowledge of a variety of project delivery strategies
- Extending your understanding of key risk areas and their management
- Improving your knowledge of contract and relationship management
- Enhancing your ability to deal with changes and external events
- Developing your knowledge of monitoring and managing performance failures
- Boosting your confidence in dealing with contractual issues and disputes

## WHO SHOULD ATTEND?

- This Effective Project Contracting training seminar will benefit all levels of personnel involved in any aspect of project procurement and implementation. It will enable a broad range of disciplines to appreciate and understand effective project contracting.

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

- General Management Professionals
- Project Management Professionals
- Contracts Administrators, Managers and Claims Handlers
- Procurement and Purchasing Staff
- Engineering, Operational and Maintenance Personnel

## Course Outline

### Selecting Project Delivery Route

- Key Principles
- Factors Influencing Selection
- Key Procurement Strategies and Delivery Routes
- Procurement Stages
- Funding and Level of Risk Transfer
- Forms of Contract

## Project Procurement Process

- Defining Requirements
- Distinguishing Selection and Award Criteria
- Pricing Models
- Cost and Price Analyses
- Managing Supply Chain Risk
- Exposure to Bribery and Corruption

## Key Liability Issues and Managing the Risks

- Management of Risk Process
- Principal Performance Obligations
- Cost, Pricing and Payment Risk
- Indemnities and Insurance
- Selecting the Appropriate Governing Law
- Contract and Relationship Management

## Managing Change and Performance Failures

- Scope Creep
- External Factors Affecting Performance
- Performance Standards and Monitoring
- Re-work, Re-Performance and Damages
- Using Bonds, Warranties and Guarantees
- Suspension and Termination

## Managing Claims and Disputes

- Assessing Claims
- Using the Contract to Manage Disputes
- Negotiation Tools and Techniques
- Formal Dispute Resolution
- Alternative Dispute Resolution Processes
- Course Review and Learning Outcomes