

€ TRAINING

Protecting Your Project, Contract &
Organization



27 - 31 October 2019
Dubai (UAE)
Shangri-la Hotel

Protecting Your Project, Contract & Organization

REF: P9034 DATE: 27 - 31 October 2019 Venue: Dubai (UAE) - Shangri-la Hotel Fee: 2500 Euro

In this program you will learn about...

This program provides a comprehensive practical briefing on the issues and details of effective contract administration, claims management and negotiating settlements through a unique multidiscipline Technical-Legal-Management-Audit-Finance look at the issues. All Good Business Contract Decisions take into account Multi-discipline Inputs.

By program end the participant should be able to: understand good contract administration practices, understand the contractual issues on real contracts, understand the Technical-Legal-Management Concerns on Contracts, make correct interpretation of contracts, know when to seek legal opinion, identify situations that could lead to increased liability for his organization, properly document situations to the extent required to protect his company's interests, recognize actions and inactions that lead to wastage of contract time resources. He will get a winning prospective of the Legal-Technical-Audit-Planning-Management concerns on the contract and be empowered to take the right win-win decisions.

Program Content:

Day 1:

- The Management-Engineering-Legal-Scheduling-Audit Issues on Contracts.
- Rights, Duties and Implied Obligations of the Parties under:
 - Your Contract.
 - Under Local Laws Regulations.
 - Under International Law.
- Rules and Doctrines of Precedence and Interpretation of Contracts Contractual Obligations:
 - As decided by Courts.
 - As applied by Arbitrators.
 - Interpretations during Contract Execution.

Days 2, 3, 4:

- For Typical Works Supply Contracts -Clause-by-Clause Discussion of:
 - Implication of the Contract Provisions the Way they are to be Analyzed.
 - Procedures Notices.
 - Documentation requirements.
 - Claim Risk Areas.
 - What Risks can and can not be transferred.
 - Productivity Issues.
 - Management Concerns.
- Making Tendering Procedures More Effective:
 - Prequalification Procedure.
 - Tendering Procedure, Public Tender Law.
 - Tender/Bid Evaluation.
- Transferring Risks not legally effective Just by Drafting:
 - When Risk Transfer is actually considered Complete in Law?

Day 5:

- Advantages, Disadvantages and When to Use:
 - Cost Reimbursable Contracts.
 - Fixed Price/ Lump Sum, Bill of Quantities.
 - Construction Manager Contracts.
 - Single General Contractor, Multiple Prime.
 - Fast Track Contracting.
 - Turn Key Contract, EPC, BOOT.
 - Joint Ventures.
- Design Supervision Contracts:
 - How to protect your interests.. the issues.
 - Selection, Managing, Audit Control of Consultant's Design Activity..
 - Consultant Contracts: Analysis and Contract Administration. Conditions to Check for and Include to Protect Owner's Interests.
 - Consultant's Insurance, Exclusions Warranties.

Day 6:

- Contract Administration Review - the bigger picture - Engineering/ Management/ Legal/ Audit Viewpoints.
- CLAIMS ON PROJECTS:
 - Nature of Claims.
 - Constructive Variations Issues.
 - Liability Establishment.
 - Causation Proof.
 - Damage Quantification.
 - Mitigation Responsibility.
 - Tests to Check Reasonableness.

Day 7:

- Schedules CPM Techniques for Causation Establishment:
 - Contractual Aspects of the Different Project Schedules: Tender, Mobilization. CPM, Monthly- Weekly- Daily Schedules.
 - CPM: Scheduling Application.
 - Real-life Limitations Practicality.
 - Schedules/CPM to Establish Causation.
 - Approval Issues: CPM Schedules.
 - Impact Calculation - Delays Disruption.
 - Productivity and Management Concerns.

Day 8

- Fair Reasonable Price Determination and Impact Calculation VO's Claims:
 - Direct Costs.
 - Indirect Costs, Overheads.
 - Other Contractual Factors to Consider.
- Methodology, Techniques and Contractual/ Legal Allowability Entitlement Rules for Development and Analysis of Rates/ Prices Used in VO's Claims.

Days 9, 10:

- Managing Meetings For Negotiating Settlement of Disputes Claims.
- Negotiating VO's Claims:
 - Preparation.
 - Presentation.
 - Deadly Negotiating Skills.
 - Games/Tricks Others May Play.
 - Bargaining Strategies Tactics.
- Dispute Resolution:
 - Options, Contractual Arrangement.
 - Settlement by Negotiations.
 - Mediation, Arbitration, Courts.
 - Cost-Benefit Considerations.
 - Management Audit Concerns.
- Worthwhile Project Closedown Reporting.
- Management Auditing of a Contract to Identify, Measure and Evaluate Performance Bottlenecks and Suggest Improvements.