

€ TRAINING

Contract in Project Risk Management and
Compliance





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Introduction:

The Contract in Project Risk Management and Compliance program educates participants on managing contracts within project risk and compliance contexts. It covers contractual frameworks, obligations, and risk mitigation strategies. Participants learn to ensure compliance and enhance project outcomes through effective contract management.

Program Objectives:

At the end of this program the participants will be able to:

- Apply useful techniques in identifying, analyzing, mitigating, and monitoring risks in the project life cycle.
- Use a practical, six-step process to manage project risk.
- Review the impacts of different approaches to risk allocation.
- Explore different contract types to transfer risks.
- Consider the contractual techniques to ensure effective risk allocation.
- Learn how to create an effective risk monitoring plan and risk management strategies.

Targeted Audience:

- Contracts, Tendering, Purchasing, Procurement, and Project Personnel.
- Contract Administration, Engineering, Operational, and Maintenance Personnel.
- Risk, Claims, Financial, and Audit Personnel.
- Project Management Professionals.
- And all others who are involved in the planning, evaluation, preparation and management of tenders, specifications, awards, and contracts that cover the acquisition of materials, equipment, and services.

Program Outlines:

Unit 1:

Types and Management of Risk:

- The Need for Contractual Relationships.

- Defining Risk.
- Categories of R for Both Sides of a Contract.
- Risk Assessment Process and Management.
- Qualifying Suppliers.
- Defining Internal Control and Proportionality of Control.

Unit 2:

Minimizing and Transferring Risk:

- Risk Transfer in Contracts: Exploring Contract Types and Risk Allocation.
- Fixed Price Contracts: Understanding Firm Fixed Price or Lump Sum Contracts.
- Cost Reimbursable Contracts: Examining Cost Reimbursable Contract Structures.
- Incentive Mechanisms: Implementing Incentive Contracts and Award-Fee Arrangements.
- Risk Management Tools: Assessing Indemnities, Cross Indemnities, and Insurance.
- Risk Mitigation Strategies: Utilizing Contractual Safeguards for Effective Risk Management.

Unit 3:

Risk-Related Terms & Conditions:

- External Events and Risk Allocation: Addressing Force Majeure and Labour Disputes.
- Legal Considerations: Examining Risk, Title, and Use of ICC Incoterms.
- Contractual Obligations: Understanding Assignment, Novation, and Flow-Down Clauses.
- Sub-Contractor Risks: Identifying Risks Associated with Sub-Contractors.
- Comprehensive Risk Management: Assessing Other Clauses and Mitigation Strategies.

Unit 4:

Dealing with Financial Risks:

- Controlling Risk Associated with Payments.
- Currency Risk and Economic Risk.
- Fraud and Corruption.

- Limiting or Excluding Liability.
- Distinctions between Liability in Contract, and The General Law.
- [Gross Negligence].
- A Review of Some Sample Clauses from Standard Contracts, and Other Real Documents.

Unit 5:

Remedies When Bad Stuff Happens:

- Mistakes and Misrepresentations.
- Impracticability of Performance.
- Remedies Generally and their types.
- Liquidated Damages.
- Warranties and Cover.
- Discussion of Real Examples.