

€ TRAINING

Negotiating Contracts and Claims



Negotiating Contracts and Claims

Introduction

Introducing the basic features of contracts through the provisions that have been developed and the controls by which it was possible to eliminate gaps and practical application in order to finally ensure the integrity of the application and find a balance between the obligations of the contractor and the contracting administrative authority, and understand the contract law and practices related to the submission and implementation of various types of claims.

Course Objectives

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

- Understand the hierarchy of contract documents.
- Distinguish between the various contractual relationships by understanding the role and responsibilities of each of the contracting parties.
- Draft contracts and appendices in accordance with international standards.
- Apply various contract resources in a professional manner.
- Manage changes in contracts according to the provisions of the contract.
- Know the appropriate documents for claims.
- Investigate and resolve disputes in accordance with contractual requirements.
- Enhance creativity in the arbitration process and procedures.
- Prepare bid documents.
- Implement negotiation strategy and tactics.
- Manage Contracts.
- Address the causes of contract failure.
- Acquire Awareness of contractors' practices regarding finding and developing claims.
- Develop effective claims mitigation skills.
- Determine contract law requirements and practices related to filing and executing various types of claims.

Targeted Audience

- Purchasing and contracts managers
- Heads of purchasing and bidding departments
- Directors and members of the legal departments
- All administrators whose responsibilities fall, all or part, within the stages of procurement and contracts
- Candidates or those seeking to occupy positions in the purchasing and contracts department
- Cadres or their leadership whose responsibilities are to participate in the procurement process

Course Outline

Unit 1: Contract basics:

- The basics of common contracts and clauses from a legal point of view.
- Content of contract documents.
- International contract forms.
- contract drafting.

- Letters of guarantee, insurance and payments.

Unit 2: Contract strategy:

- Strategic issues.
- Supplier selection.
- contract system.
- Factors affecting strategy.

Bidding methods and procedures:

- Foundation purposes.
- Documentation of tenders.
- Contract award.
- Communication and meetings.
- Edit the wording of the contract.

Unit 3: Effective control and management methods:

- Communication and meetings.
- Financial arrangements and documentation.
- styles.
- Records - contract file.
- procedures.

Unit 4: Reviewing contracts and understanding disclosure processes in various types of contracts:

- Evaluation of contract review work.
- Common problems in contracting and obstacles to reviewing contracts.
- Understand disclosures in contracts.
- Contract review results.
- Determine the goals and strategy of contract review.

Methods and procedures for tenders, planning and reviewing contracts:

- Foundation purposes.
- Documentation of tenders.
- Contract award.
- Communication and meetings.
- Edit the wording of the contract.
- Determine the material to be reviewed.
- Review Plan - Preliminary View.
- Checklist for developing a contract review program.

Unit 5: Incentives, fines and management of subcontractors:

- The need for incentives and their importance.
- Types of incentives and care.
- Sharing - saving.
- Withholding amounts and guarantees of good performance.

- legal advice.
- Contract writing and development.
- Developing qualified subcontractors.
- Administrative issues.

Unit 6: Claims and disputes, negotiation and raising a claim:

- Overview and need to negotiate.
- Timing.
- Planning and preparation.
- Guidelines.
- negotiation practice.
- The reasons for the claim.
- Claim definition.
- Reasons for avoiding the claim.
- Changes turn into claims.
- Determine the nature of claims.
- Classification of claims.
- Claims negotiation.

Unit 7: Contracting Strategies to Avoid Claims:

- Payment contracts.
- Contracts based on unit price.
- Design and edit contracts.

Identifying and avoiding risks:

- types of risk.
- Dimensions of risk.
- Problems and effects.
- Risk waiver.
- Determine the extent of the risk.
- Decision making.
- Risk Management.
- risk mitigation methods.

Unit 8: Commitment to quality in contracts and competitions:

- Quality systems in tenders and contracts.
- Our methods guarantee quality the first time and every time.

Legal aspects of contracts:

- Contracts are legally binding.
- legality requirements.
- Basic legal issues.

Unit 9: Contracting ethics:

- The need for clarity and justice.

- A unified approach for all contractors.
- reactions.
- The main characteristics of contract control in an effective way.
- Publication of the message for the preparation of tenders and contracts.

Unit 10: Claim Handling Techniques:

- Terminate the contract.
- Dispute resolution mechanisms.
- Methods for calculating compensation values, cost and duration.
- Arbitration steps.
- Program conclusion.