

€ TRAINING

Drafting Contracts and Writing Scope of Work



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Introduction:

This course relies on the use of individual and group exercises aimed at helping participants learn all key contract management activities. The course also features the use of a number of case studies, presentations, and role-plays by participants, followed by discussions. In addition, this course incorporates pre-and post-testing.

Course Objectives:

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

- Identify the essential elements of a contract and recognize the importance of the scope of work
- Outline the objectives of a contractual relationship and leverage them into requirements needed to develop the scope of work
- Plan and prepare a solid scope of work using outlines and templates
- Define contract building blocks and draft simple contract provisions
- Write the narrative of a contract as well as different contract parts using best practices
- Evaluate the impact of negotiating contracts on a well-written scope of work in the pre-award phase

Targeted Audience:

Personnel involved in drafting the scope of work and negotiating contract terms in order to ensure contract requirements are properly captured.

Course Outlines:

Unit 1: Overview:

- Defining contracts
- Elements of contracts
- Purpose of contracting
- Defining rights and obligations
- Defining the scope of work
- How to develop the scope

Unit 2: Planning Scope of Work:

- Types of the scope of work
- Tools and techniques used to plan the scope of work
 - Gathering requirements
 - Work breakdown structure
 - Product breakdown structure
 - Risk management and the scope of work
- Outlining the scope of the work planning process

Unit 3: Developing the Scope of Work:

- Basic requirements of a scope of work
- How to develop the scope?
- Topics which must be included in the scope of work
- Scope of work formats
- Rules of the scope of work writing
- Drafting fundamentals
- Principles of good writing
 - Framing your thoughts
 - Phrasing your sentences
 - Choosing your words

Unit 4: Contract Building Blocks:

- Representations and warranties
- Covenants and promises
- Rights and obligations
- Conditions to obligations
- Discretionary authority
- Declarations and facts

Unit 5: Contract Drafting Fundamentals:

- Drafting with or without precedent
- Drafting contract parts:
 - Introductory provisions
 - Definitions and defined terms
 - Action sections
 - Other substantive business provisions
 - Endgame provisions
 - General provisions
 - Signature lines

Unit 6: Negotiation and Drafting:

- Contract development and negotiation
- Price versus risk
- Negotiation process