



Contract Management & Administration

Duration

2 days

What is this course about?

No contract will be successful unless it is underpinned by sound contract management and administration. More often than not it is the support team involved in the background of a contract that ensures it is a success. This course will help you to understand how the effective management and administration of a contract can deliver the goals it set out to achieve.

This practical training programme will help delegates to apply a systematic and logical approach to managing and implementing a contract after it has been signed. The course will ensure that you and your team(s) are confident of what is required of you, and all parties involved in the contract, to satisfy the legal obligations laid out in the contract whilst minimising risk and delivering a successful outcome every time.

The course is delivered using an interactive approach with exercises, case scenarios and examples used throughout. There are plenty of opportunities for discussion and questions and answers during the training. All of GA's contracts courses include a discussion on the potential impact of Brexit on your contracts.

Who would benefit?

- Project Managers and Executives
- Contract Managers / Engineers
- Purchasing Managers and Executives
- Sales Managers and Executives
- Commercial Managers and Executives



Objectives

At the end of the course delegates will be able to:

- Recognise the contribution that contract administration can deliver
- Minimise contractual risk throughout the contract
- Manage change during the contract from a risk and legal perspective
- Negotiate more effectively
- Understand and draft contractual terms and conditions
- Utilise the benefits of alternative dispute resolution methods

Course Outline

1. Professional contract administration

- Company objectives
- Commercial awareness
- Commercial management
- Personal relationships
- Vital skills and expertise
- Deciding the right priorities

2. Understanding the legal environment

- Basic legal principles
- Risks for a valid contract
- Conditions and warranties
- Making the contract
- Offer and acceptance
- Enquiries and tenders
- Statute law affecting contracts
- Defects, negligence and lateness



3. Drafting the contract

- Drafting starts with effective thinking
- Communication and the barriers to overcome
- The craft of contract drafting
- Closing loopholes
- Defined terms; precise language
- Dealing with sub-contractors
- Termination clauses
- Amending the operative contract by conduct, oral or written agreement
- Traps for the unwary

4. Risks, rules and relationships

- Risk analysis
- Managing change during the operation of the contract
- Political, environmental and physical factors
- Financial and technical risks
- Pre-contract risk planning
- Post-contract risk management
- Off-loading or sharing risk

5. Some contract scenarios

- The enquiry and the bid
- Time and materials
- Fixed price
- Limits of liability
- Pricing or associated costs



6. Contract terms and conditions

- How to deal with the 'small print'
- Consortia, joint ventures and collaborations
- Choices of law and jurisdiction
- Force majeure and its implications
- Time is of the essence
- What's on the back of the purchase order
- Ways of arguing over terms

7. Effective administration techniques

- What is the purpose of the contracts function?
- The extent of its involvement; what is needed?
- The culture of the enterprise
- Terms of reference
- Early warning systems
- Some maxims of contract administration
- Post mortems
- Getting known and respected

8. Sharpening your negotiating skills – getting the most out of contracts

- Who are the best negotiators?
- Planning to negotiate
- When and how to negotiate
- Essentials of negotiation
- The Principled negotiator
- Negotiating in teams
- Getting to win/win
- Closing a deal



9. How to resolve disputes successfully by mediation

- Why mediate?
- When to mediate
- Skills of a party at a mediation
- How to achieve a successful outcome at a mediation

10. How to obtain legal remedies

- The advantages and disadvantages of Litigation and ADR
- Choosing the appropriate method of redress
- Obtaining redress while the contract is operating
- Confidentiality
- Obtaining a final solution