



CONTRACT MANAGEMENT PRINCIPLES AND PRACTICES

What is Contract Management Training?

Contract Management Training enlightens the participants on the necessary skills to control contracts effectively and successfully.

A wide range of skills and knowledge relating to contract management are learnt and can be widely applied. Contracts are of profound importance in establishing and maintaining positive relationships between companies and organizations so that business goals are accomplished.

Participants will learn the tricky process of interpreting contract language to ensure all risks are minimized and how to get the best out of the contracted partnership. Contract management begins from the beginning of contract writing and continues to oversee the contract, ensuring both parties are fulfilling their promises and sticking to the conditions.



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What are the objectives of Contract Management Training?

By the end of the course, participants will have a knowledge of :

- 1.Understanding of the legal terminologies
- 2.Reduce risk in contract delivery
- 3.Maximize value from procurement
- 4.Understand the role of contracting in projects
- 5.Understand the role of contracts in procurement
- 6.Meet contracting process obligation.

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Who is recommended for this course on Contract Management Training?

This course is recommended for those professional who are interested in seeking careers opportunity / growth in contract management and the skills needed for the negotiating process. This course is also for those who want to better the relationship with their business partners.

Contract management training is specifically useful for those who are involved in contracting as a career.

There are no formal requirements for this training course, although some understanding of contracting may be useful. This training course is suitable to a wide range of contracts professionals but will greatly benefit:

- **Contract Administrators,**
- **Contract Professionals and Project Coordinators**
- **Specifiers, Buyers,**
- **Purchasing Professionals and Procurement Officers**
- **Contracts managers**
- **Project managers**
- **Engineers or contracts operatives**

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What areas will Contract Management training cover?

The contract management training course will teach candidates:

- How significant a contract is
- What obligations should be met
- The correct language to use
- To identify risks and how to minimize risks
- Understanding of procurement
- The link between contracting and project success

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Contract Management Training Course Content :

1. What are Contracts and how are they Created?

- The need for contractual relationships
- What is needed to create a valid contract?
- Ingredients and formalities
- Authority and agency
- The tender process
- Alternative sourcing
- Making contracts enforceable – with particular emphasis on the international context



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2. Role and Value of Procurement Contracts:

- Definitions
- Define a contract
- Know the purpose of a contract
- Know the basic requirements for a contract
- Relationships
- Importance
- The Structure of Contracts
- Form of Agreement
- Hierarchy of Terms and Conditions
- Different contractual structures
- Traditional and new
- Risk and Title (ownership) in international trade.
- When does it transfer?
- Notices and other formalities
- Which law and which courts?

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3. Creation of a Procurement Contract:

- Offer & Acceptance
 - Invitation to treat e.g. auction and tenders
 - Electronic formation of contract e.g. e-offer or e-acceptance
- The Enforcement of Bargains
 - Consideration
 - The requirement of a benefit/detriment in a contract
 - Rules of consideration in drafting innovative contracts
 - Intention to Create Legal Relations
- Agreement
 - Consideration
 - Intent
 - Enforceability – Is the contract enforceable?
 - Capacity to contract
 - Minors
 - Companies
 - Mentally ill persons
- The Contracts (Rights of Third Parties) Act
- General Conditions of Contract
- Special Conditions of Contract
- Pricing & Proposal Information
- Technical Specifications
- Drawings and Amendments
- Changes to Contract documents
- Assignment/Novation explained and distinguished
- Variation clauses and changes to the scope of work
- Claims – what they are, and how they arise
- Delay and disruption
- Force majeure
- Intellectual Property management Issues
 - Patents
 - Trademarks and service marks
 - Confidentiality clauses
 - Copyrights, industrial designs

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4. Legal Concepts of Procurement Contracts:

- Framework
- Key Components
- Remedies for the Breach of contract
- Assessment of damages – the compensatory aim
- Obtaining injunctions
- Liquidated damages
- Penalty clauses
- Remoteness of damage
- Speculative damages
- Mitigation of damages
- Specific performance
- Quantum Merit (for the work done)
- Identifying and evaluating the various strategies in dispute resolution
- Litigation, arbitration and mediation, mini-trials
- Ways to structure efficient dispute resolution clause
- Resolving Disputes
- Conflict avoidance and tiered dispute resolution clauses
- Negotiation
- Litigation
- Arbitration
- Mediation, and other best practices in dispute resolution and management
- Final questions and review of course



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- Discharge of contracts
 - - By performance
 - By agreement
 - By frustration
- Effects of frustration
- Money paid or payable
- Legal impossibility
- Physical impossibility
- Impossibility of purpose
- By repudiator breach
- Self-induced frustration
- The Effective Use of Service Level Agreements
- Measuring performance levels
- Key performance Indicators
- SLA and the substantive Contract between the parties
- Penalties, Charges, Earn back points and Invoice Adjustments
- Contract Review and Meetings
- Identifying performance issues
- Constructing an Agenda for a meeting
- Setting out specific roles for participants in the meeting
- Anticipating the positions and expectations of the other party
- Managing the meeting process
- Managing Contract Documentation
- Files and records
- Defensive record keeping for evidential purposes
- Version controls and software
- Document sharing and s



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5. Procurement Contract Construction:

- Essential Clauses
- Misrepresentation
- Breach
- Damages
- Exemption clauses

6. Managing Contract Performance

- Variations to the existing contract – Negotiating variations and potential legal pitfalls
- Extensions and renewals – effective use of extension and renewal clauses, best practices with regard to notices
- Completion of works and original expectations – reviewing contract specifications and matching with performance
- Withdrawing from the contract – understanding the legalities of wrongful withdrawal
- Termination and post-termination actions
- Termination of contract security



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7. Roles and Responsibilities of a Contract Manager

- Drafting skills
 - Formalities, structure and format
 - Drafting with or without precedents
- Commencing the contractual process
 - Relationship building
 - Setting Targets, timelines and periodic review
- Defining expectations
- Project Manager – Outsourcing contracts
 - Role definition and responsibilities
- An Effective Contract Manager's
 - Essential Negotiation skills
 - Clarifying objectives & goals
 - Bargaining tools
 - Compromising without losing out
 - Tips for a Successful Negotiation

DURATION: 24 hours Course Fee: AED3100

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Ministry Registration: AED100

Certification By: Ministry of Education, Dubai (KHDA)

AIBM Certificate (Optional) – 950 AED

Course Material: Books Practice sessions with Forms

Illustrations and Case Studies

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