

Developing Excellence in

# Effective Contract Administration Claims Management & Negotiating Win-Win Settlement of Disputes

Providing Legal-Engineering-Management-Audit Prospective  
Designed to Save Your Organizations Millions of Dollars in Claims,  
Lost Revenue and Project & Business Disruption Costs

2 Week Training Workshop

- ✓ True Contract Interpretations
- ✓ Preventing Project Delays
- ✓ CA Good & Best Practices
- ✓ Win-Win Settlement of Disputes

A 2 Week Training Workshop

## Program Overview

This program provides a comprehensive practical briefing on the issues and details of effective contract administration, claims management and negotiating settlements through a unique multidiscipline (Technical-Legal-Management-Audit-Finance) look at the issues. All Effective Business Contract Decisions take into account Multi-discipline Inputs.

### Expertise Developed by Program:

1. Understand good contract administration practices
2. Understand the contractual issues on real contracts
3. Understand the technical-legal-management concerns on contracts
4. Make correct interpretation of contracts
5. Take actions throughout the project cycle to prevent increased liability for your organization
6. Keeping relevant documentation or evidence that will support your arguments in case of a Claim Situation
7. Prepare a claim
8. Analyse a claim
9. Audit a claim
10. Know when to seek legal opinion.

11. Contract Management Professional Certification Level Competencies after attending the 4 week Certification Workshop.

## Program Content

1. The Management-Engineering-Legal-Scheduling-Audit Issues on Contracts.
2. Rights, Duties and Implied Obligations of the Parties under:-
  - Your Contract
  - Under Local Laws Regulations
  - Under International Law
3. Rules and Doctrines of Precedence and Interpretation of Contracts Contractual Obligations
  - As decided by Courts
  - As applied by Arbitrators
  - Interpretations during Contract Execution
4. For Typical Works/ Major Supply Contracts -Clause-by-Clause Discussion of:
  - Interpretation of the Contract Provisions
  - Procedures
  - Notices

- Documentation requirements
  - Claim Risk Areas
  - Productivity Issues
  - Management Concerns
5. Making Tendering Procedures More Effective in Preventing Disputes:-
    - Prequalification Procedure
    - Tendering Procedure, Public Tender Law
    - Tender/Bid Evaluation
  7. Advantages, Disadvantages and When to Use for Different Contract Forms:
    - Cost Reimbursable Contracts
    - Fixed Price/ Lump Sum, Bill of Quantities
    - Construction Manager Contracts
    - Single General Contractor, Multiple Prime
    - Fast Track Contracting
    - Turn Key Contract, EPC, BOLT
    - Joint Ventures
  8. Design & Supervision Contracts Key Aspects
    - How to protect your interests.. the issues
    - Selection, Managing, Audit Control of Consultant's Design Activity.
    - Consultant Contracts: Analysis and Contract Administration. Conditions to Check for and Include to Protect Owner's Interests.
    - Consultant's Insurance, Exclusions Warranties.
  9. Understanding Claims
    - a. Nature of Claims
    - b. Constructive Variation Orders
    - c. Analyzing Claims Liability
  10. Understanding Claim Resolution Process
  11. Good Practices while Negotiating Claims
  12. Win-Win Dispute Settlement Methodology
  13. Workshop 1 : Contract Administration Case Studies
  14. **Detailed Understanding of Claims on Projects**
    - Causation Proof
    - Damage Quantification
    - Mitigation Responsibility
    - Tests to Check Reasonableness.
  15. Schedules - CPM Techniques for Proving Claim Causation ...
    - Contractual Aspects of the Different Project Schedules: Tender, Mobilization, CPM, Monthly-Weekly- Daily Schedules
    - Legal Aspect of CPM Planning & Scheduling Method
    - The Reality of Project Plans and Schedules (Practically)
    - Using Schedules/CPM to Establish Causation
    - Impact of Schedule Approval
    - Calculating Delay Caused by a Claim Event
  16. Estimating VO's & Claims through Price Analysis
    - a. Direct Costs
    - b. Indirect Costs
    - c. Overheads
    - d. Other Cost and Price Aspects
  17. Allowable/ Claimable Costs and Expenses in Claims
  18. Workshop 2 : Analyzing a Submitted Claim
  19. Workshop 3: Preparing a Claim
  17. Your Individualized Action Plan
  18. Program Recommendations

### Who Should Attend?

All Professionals & Managers dealing with Contracts. Including Contract Managers, Contract Administrators, Quantity Surveyors, Cost Engineers, Project Coordinators, Project Managers and Site Supervision Engineers.

Participants will be working for the Owner, Contractor, Consultant, Funding Agency, Auditors, Management Consultants or others.

### NEEDS ADDRESSED BY THIS PROGRAM

If you have the following situations existing on your projects, you could save very substantial sums of money by sending your participants to this program.

#### The Project, Contract Procurement Staff...

- Often fail to understand the Full Implications of the Express and Implied Contract Terms. Often getting influenced by other party's reasonable sounding but contractually irrelevant arguments.
- They fail to recognize situations where they could be increasing liability of their employer by acting in what they mistakenly perceive to be 'fair' or 'As-per-contract'.
- They often fail to identify and properly document situations where their employer could be entitled to protection from owner, contractor, consultant or supplier claims, or, recover their own additional costs.
- They often mistakenly follow an approach that leads to wastage of time and/or resources of the Owner, Contractor, Supplier or Designer leading to lower productivity on the project for which ultimately their employer pays.
- They fail to timely settle problems/disputes that later leads to large impact claims due to waste of resources
- They often lack the "Management prospective" when taking decisions- the long term costs/benefits to their organization.

- They tend to get into conflicts with their Management, Legal or Audit Departments due to misunderstanding of the concerns of these departments.

### Program Outcomes and Take-Away/s

Euro Training is in the business of providing practical useful training programs. Programs that

1. Provide the participant Competencies that enable him to Protect the Short Term and Long Term Interests of his Organization.
2. Help the participant implement improvements in his department or organization.
3. Help the participant gain Multi-discipline understanding of the program issues so that he can incorporate the needs and expectations of all his stakeholders/ customers in his planning, improvement proposals and actions.
4. Help build a knowledge framework in the participant's brain in which job related experience can be caught and remembered as his reusable experience.

### General Benefits to Your Organization...

Sending participant/s to this program will benefit the organization in the following ways

1. Quickly makes the participants competent, effective and productive on his job. Useful especially for
  1. Training New employees
  2. Competency Building in Existing Employees Transferred to a New Assignment
  3. Training Prior to a New Project or Initiative being Planned in the Organization
2. Create Competency in the employee to perform his job efficiently and effectively. including in relation to
  1. Relevant Technical Knowledge, Skills and Competencies

2. Organizations' Strategic Objectives
3. Needs and Expectations of the Stakeholders/ Customers (internal & external)
4. Good Management Practices
5. Identifying opportunities to Exceed Stakeholder/ Customer Expectations

#### **Participant Individual Career Benefits**

1. You gain a multi-discipline understanding of the issues. Meaning when you make proposals and decisions on your related job you will keep in mind the needs and expectations of ALL the stakeholders/ customers (internal & external)
2. The action plan you take away will help you make a difference in your business unit or organization! In future, when you will talk about this difference you have made to your organization in your resume, you will be a prime candidate for career advancement in your own organization or in your next job(s).

#### **Registration Recommendations**

**Team Nominations:** This program aims to ensure the participants have their individualized improvement plan at the end of the program. So, foreseeing the effort involved, anticipating resistance and implementation requirements, it is recommended that the organization nominate **at least two participants together** (three will be more desirable) for this program.

It is anticipated that these 2 or more participants will work together as a team or provide mutual support in order to implement the action plan.

**Single nominations** will also be accepted for the program.

#### **For Latest Program Schedule Email:**

caa301-2@EuroTraining.com

[www.eurotraining.com/bro/caa301-2.php](http://www.eurotraining.com/bro/caa301-2.php)

<b>REGISTRATION FORM</b>	
<b>Program:</b>	<b>Effective Contract Administration Claims Management &amp; Negotiating Win-Win Settlement of Disputes Workshop (CAA301-2)</b>
Location Where Attending:	
Program Dates:	
Whether Participant will Consider Alternate date if one requested is not available:	
Participant Name Prefix: Mr/Ms/Mrs	
Participant Name:	
Participant Job Title:	
Participant Department & Section:	
Participant Employer/ Company:	
Participant's Present Job Responsibilities:	
Participant Email Address:	
Participant Mobile Number:	
<u>Sponsored by:</u>	
Sponsoring Company:	
Job Title of Sponsoring Authority:	
Name of Sponsoring Authority:	
Email of Sponsoring Authority:	
Fax of Sponsoring Authority:	
Telephone Nos. of Sponsoring Authority:	
Web Site of Sponsoring Company:	
Invoice Reference:	
Invoicing Address:	

## REGISTRATION INFORMATION

- To register: Please send us an official letter confirming registration (on organizational letterhead or Authorized Email).
- Program Fee is
  - o USD \$7,900 per participant and includes Course Materials, Certificate, Refreshments and Lunch. (Fee at London, Paris and Kuala Lumpur is \$8,690 per participant)
- Accommodation & Taxes/VAT (if applicable) is not included in Program fee. Special rates will be available at venue hotel for the participants.
- Special discount of 10% is offered for participants who pay their fees at least 45 days before start of the program.
- Refund will not be considered where the participants cancel his registration less than 3 weeks before start of the program. Alternate nominations will be allowed anytime before program start.
- All participants are required to fill in Participant Information form - on first day of the program. Each program Undergoes Customization to Better Meet Participant Present and Future Career Needs. Please be prepared to let the Instructor/s know about your organization's Special Needs, Interests or Initiatives.
- It is always useful for participants to bring their existing problems or case studies, work-process flow charts or job related problems for discussion - consideration will be at sole discretion of the program director/s.
- Provisional Registration: You can make a provisional registration by sending us an email – an official registration request can be made within 2 weeks of such provisional registration. This will ensure we will reserve a seat. All provisional registrations automatically cancel 2 weeks before program start.
- Please note: No Live Voice Requests for Registration or Provisional Registrations. Please send your requests by email or online registration request.  
<http://www.eurotraining.com/admin/regn.php>