

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

- ✓ Helping you Make Decisions taking into Account Multi-Discipline Considerations Including:
- ✓ Legal-Engineering-Management-Audit-User Objectives
- ✓ Incorporating Good & Best Industry Practices

## 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 Good Business Contract Decisions take into account Multi-discipline Inputs.

By program end the participant should be able to: understand good contract administration practices, understand the contractual issues on real contracts, understand the Technical-Legal-Management Concerns on Contracts, make correct interpretation of contracts, know when to seek legal opinion, identify situations that could lead to increased liability for his organization, properly document situations to the extent required to protect his company's interests, recognize actions and inactions that lead to wastage of contract time resources. He will get a winning prospective of the Legal-Technical-Audit-Planning-Management concerns on the contract and be empowered to take the right win-win decisions.

## Why you need to Attend these Program?

A must attend program for anyone looking for Effective Protection of his Organization and Fast Track professional skill development in the area of Contracts and Claims Management.

1. These programs enable you to Do Effective Contract Administration & Claims Management. Effectiveness Requires we Optimize our Decisions after Consideration of ...
  - Legal Aspects (Minimizing Liability)
  - Commercial Aspects (Getting the Best Contractors & Best Prices)
  - Technical Aspects (Getting the Best Life Cycle Cost Solution)
  - Strategic Aspects (Actions In-line with Long Term Objectives of the Organization)
2. Contract Administration & Claims Management a normally NOT part of the educational curriculum of Managers, Supervisors and Engineers who occupy contract administration decision making positions.
3. Legal professions are strong in Legal Aspects but Usually lack sufficient understanding of Commercial, Technical & Strategic Aspects.
4. Attending this program is like gaining years of experience on the job! This is a Unique Comprehensive Program that takes an Integrated Approach of the Whole Subject - AND includes coverage of New Emerging Interpretations, Technologies and Methodologies.

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### These Program is Intended for...

- Contract Engineers & Supervisors
- Project Managers
- Corporate & Project Lawyers
- Quantity Surveyors & Cost Engineers
- Contract Administrators
- Engineering Managers, Planning Engineers and Project Executives
- Project Auditors and Quality Professionals

... wishing to gain a Legal-Management-Technical Understanding to enable better decisions in their work areas.

### 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.
- They are unable to identify opportunities for productivity improvement in their work processes.

### For Training / HRD Managers

This New Revised Very Practical Very Effective Program is Specifically Focused and has been Rated excellent by most participants from the Multinational Corporations, Oil Industry, Government Departments Ministries, Development Organizations, Utilities, Financial Institutions, Major Contractors and Designers.

**This Program is warranted** to Increase the Knowledge, Productivity and Effectiveness of: All Project/ Procurement/Legal Professionals, Engineers, Supervisors, Managers, Lawyers, MIS Executives, Project Auditors/Planners/ Analysts/Q.S..

A Program that Prepares the participant for the Challenges of the Next Century!

### According to Past Participants this Program's 20 year Success is Due To...

- **Unique Program Design** Including Integrated Coverage of Topics from Legal-Engineering-Management Viewpoints (Now also including Quality, Expediting, Performance and Audit Viewpoints).
- **Highest Quality Expertise** of Program Director/s - Technical, Communication Technology Transfer.
- **Practical Procedures and Checklists** Approach to Solving Contractual Problems.
- **FULLY FOCUSED - Discussion, Implementation and Case Studies** are based on Actual Contracts.
- **Coverage of Latest developments, Techniques, Data sources.**

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## DAILY PROGRAM

(Subject to Change)

### Day 1

- The Management-Engineering-Legal-Scheduling-Audit Issues on Contracts.
- Rights, Duties and Implied Obligations of the Parties under:-
  - Your Contract
  - Under Local Laws Regulations
  - Under International Law
- Rules and Doctrines of Precedence and Interpretation of Contracts Contractual Obligations
  - As decided by Courts
  - As applied by Arbitrators
  - Interpretations during Contract Execution

### Days 2, 3, 4

- For Typical Works Supply Contracts -Clause-by-Clause Discussion of:
  - Implication of the Contract Provisions the Way they are to be Analyzed
  - Procedures Notices
  - Documentation requirements
  - Claim Risk Areas
  - What Risks can (and can not) be transferred
  - Productivity Issues
  - Management Concerns
- Making Tendering Procedures More Effective:-
  - Prequalification Procedure
  - Tendering Procedure, Public Tender Law
  - Tender/Bid Evaluation
- Transferring Risks not legally effective Just by Drafting...
  - When Risk Transfer is actually considered Complete in Law?

### Day 5

- Advantages, Disadvantages and When to Use:
  - 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

- Design Supervision Contracts
  - 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.

### Day 6

- **Contract Administration Review - the bigger picture** - Engineering/ Management/ Legal/ Audit Viewpoints.
- **CLAIMS ON PROJECTS**
  - Nature of Claims
  - Constructive Variations Issues
  - Liability Establishment
  - Causation Proof
  - Damage Quantification
  - Mitigation Responsibility
  - Tests to Check Reasonableness.

### Day 7

- Schedules CPM Techniques for Causation Establishment...
  - Contractual Aspects of the Different Project Schedules: Tender, Mobilization. CPM, Monthly-Weekly- Daily Schedules
  - CPM: Scheduling Application
  - Real-life Limitations (Practicality)
  - Schedules/CPM to Establish Causation
  - Approval Issues: CPM Schedules
  - Impact Calculation - Delays Disruption
  - Productivity and Management Concerns

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**Day 8**

- Fair Reasonable Price Determination and Impact Calculation (VO's Claims)
- Direct Costs
- Indirect Costs, Overheads
- Other Contractual Factors to Consider
- Methodology, Techniques and Contractual/ Legal Allowability (Entitlement) Rules for Development and Analysis of Rates/ Prices Used in VO's Claims

**Days 9, 10**

- Managing Meetings For Negotiating Settlement of Disputes Claims
- Negotiating VO's Claims
  - Preparation
  - Presentation
  - Deadly Negotiating Skills
  - Games/Tricks Others May Play
  - Bargaining Strategies Tactics
- Dispute Resolution
  - Options, Contractual Arrangement
  - Settlement by Negotiations
  - Mediation, Arbitration, Courts
  - Cost-Benefit Considerations
  - Management Audit Concerns
- Worthwhile Project Closedown Reporting
- Management Auditing of a Contract to Identify, Measure and Evaluate Performance Bottlenecks and Suggest Improvements.

**Latest Program Dates**

- [www.EuroTraining.com/bro/caa301.html](http://www.EuroTraining.com/bro/caa301.html)
- [www.EuroTrainingUK.com/bro/caa301.html](http://www.EuroTrainingUK.com/bro/caa301.html)

**Registration Recommendations**

It is recommended you nominate two participants together for this program. Single nominations will also be considered.

Program Fee is US\$7800 per participant.

<b>REGISTRATION FORM</b>	
Program:	Effective Contract Administration Claims Management & Negotiating Win-Win Settlement of Disputes Training (CAA301)
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:	
Sponsored by:	
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:	