# Managing Contractual Claims

**Course Title**
Managing Contractual Claims

**Course Date/Venue**
October 27-29, 2024/Boardroom 1, Elite Byblos Hotel Al Barsha, Sheikh Zayed Road, Dubai, UAE

**Course Reference**
CM0169-3D

**Course Duration/Credits**
Three days/1.8 CEUs/18 PDHs

**Course Description**

*This practical and highly-interactive course includes real-life case studies and exercises where participants will be engaged in a series of interactive small groups and class workshops.*

This course is designed to provide participants with a detailed and up-to-date overview of Managing Contractual Claims. It covers the types and importance of claims in the power sector including the legal aspects governing contractual claims; the different types of contracts in power sector and their specific claim-related provisions; identifying potential claims, contractual obligation, rights and claim identification process; and the importance of accurate record-keeping and what documentation is essential for supporting claims.

Further, the course will also discuss the claim notification procedures, claim strategy, cost analysis and impact assessment; the step- by-step guide to write a compelling and legally sound claim document; the essential skills and strategies for negotiating claims effectively with contractors, suppliers, and other stakeholders; and addressing potential objections and defenses raised by the other party.

During this interactive course, participants will learn the ADR methods (mediation, arbitration, etc.) and their applicability in the power sector; assessing the pros and cons of pursuing litigation versus negotiating a settlement; handling multi-issue and high-value claims; the claims avoidance techniques and the technology in claim management; and the risk management and its role in claims including the global standard and best practices.

## Course Objectives

Upon the successful completion of this course, each participant will be able to:-

- Apply and gain a comprehensive knowledge on managing contractual claims

- Discuss the types and importance of claims in the power sector including the legal aspects governing contractual claims

- Identify the different types of contracts in power sector and their specific claim-related provisions

- Recognize potential claims, contractual obligation and rights and claim identification process

- Explain the importance of accurate record-keeping and what documentation is essential for supporting claims

- Apply claim notification procedures, develop a claim strategy and implement cost analysis and impact assessment

- Draft a step- by-step guide to write a compelling and legally sound claim document

- Develop essential skills and strategies for negotiating claims effectively with contractors, suppliers, and other stakeholders

- Anticipate and address potential objections and defenses raised by the other party

- Explore ADR methods (mediation, arbitration, etc.) and their applicability in the power sector as well as assess the pros and cons of pursuing litigation versus negotiating a settlement

- Handle multi-issue and high-value claims, apply claims avoidance techniques and use the technology in claim management

- Discuss risk management and its role in claims including the global standard and best practices

## Exclusive Smart Training Kit - H-STK®



*Participants of this course will receive the exclusive "Haward Smart Training Kit" (**H-STK®**). The **H-STK®** consists of a comprehensive set of technical content which includes **electronic version** of the course materials, sample video clips of the instructor's actual lectures & practical sessions during the course conveniently saved in a **Tablet PC**.*

## Who Should Attend

This course provides an overview of all significant aspects and considerations of managing contractual claims for project managers, contract managers, construction managers, risk managers, legal professionals, procurement specialists, finance and accounts teams, executives and senior management.

## Course Certificate(s)

Internationally recognized certificates will be issued to all participants of the course who completed a minimum of 80% of the total tuition hours.

## Certificate Accreditations

Certificates are accredited by the following international accreditation organizations: -

- **The International Accreditors for Continuing Education and Training (IACET - USA)**

  Haward Technology is an Authorized Training Provider by the International Accreditors for Continuing Education and Training (IACET), 2201 Cooperative Way, Suite 600, Herndon, VA 20171, USA. In obtaining this authority, Haward Technology has demonstrated that it complies with the **ANSI/IACET 2018-1 Standard** which is widely recognized as the standard of good practice internationally. As a result of our Authorized Provider membership status, Haward Technology is authorized to offer IACET CEUs for its programs that qualify under the **ANSI/IACET 2018-1 Standard**.

  Haward Technology's courses meet the professional certification and continuing education requirements for participants seeking **Continuing Education Units** (CEUs) in accordance with the rules & regulations of the International Accreditors for Continuing Education & Training (IACET). IACET is an international authority that evaluates programs according to strict, research-based criteria and guidelines. The CEU is an internationally accepted uniform unit of measurement in qualified courses of continuing education.

  Haward Technology Middle East will award **1.8 CEUs** (Continuing Education Units) or **18 PDHs** (Professional Development Hours) for participants who completed the total tuition hours of this program. One CEU is equivalent to ten Professional Development Hours (PDHs) or ten contact hours of the participation in and completion of Haward Technology programs. A permanent record of a participant's involvement and awarding of CEU will be maintained by Haward Technology. Haward Technology will provide a copy of the participant's CEU and PDH Transcript of Records upon request.

- **British Accreditation Council (BAC)**

  Haward Technology is accredited by the **British Accreditation Council** for **Independent Further and Higher Education** as an **International Centre**. BAC is the British accrediting body responsible for setting standards within independent further and higher education sector in the UK and overseas. As a BAC-accredited international centre, Haward Technology meets all of the international higher education criteria and standards set by BAC.

## Course Instructor(s)

This course will be conducted by the following instructor(s). However, we have the right to change the course instructor(s) prior to the course date and inform participants accordingly:



**Dr. Chris Le Roux**, PhD, MSc, BSc, PMI-PMP, is a **Senior Management Consultant** with over **40 years** of teaching, training and industrial experience. His expertise lies extensively in the areas of **Contract** Management, **Tender** Development, **Contract** Standards & Laws, **Dispute Resolution** & **Risk** Identification, Global Diverse & Virtual Teams Operation, Exceeding **Customer** Expectations, **Corporate Governance** Best Practice, **Business Performance** Management & Improvement, Building Environment of **Trust & Commitment**, **Leadership** Skills, **Presentation** Skills, **Communication & Interpersonal** Skills, Effective **Communication & Influencing** Skills, Effective **Business Writing Skills**, **Creative Thinking & Problem-Solving** Techniques, **Emotional Intelligence**, **Writing** Business Documents, **Business Writing** (Memo & Report Writing), **Leadership & Team Building**, Psychology of **Leadership**, **Interpersonal Skills & Teamwork**, **Coaching & Mentoring**, **Innovation & Creativity**, **Office Management & Administration** Skills, Controlling Your **Time & Managing Stress**, **Crisis** Management, Strategic **Human Resources** Management, **Change** Management, **Negotiation** Skills, **Strategic Planning**, **Risk** Analysis & Risk Management, **Win-Win Negotiation** Strategies, **Quality Improvement & Resource** Optimization, Neuro Linguistic Programming (**NLP**), **Personal Resilience** Developing, Effective Role Modelling & Development, Managing Dynamic Work Environments, Organizational Development, **Career** Management, Situation & Behaviour Analysis, Interpersonal **Motivation** Skills, **Inventory** Management, **Financial** Administration, **Project & Contracts** Management Skills, **Project & Construction** Management, **Project** Planning, Scheduling & Control, **Project** Management, Project Delivery & Governance Framework, **Project** Management Practices, **Project** Management Disciplines, **Project Risk** Management, **Risk** Identification Tools & Techniques, **Project** Life Cycle, **Project Stakeholder** & Governance, **Project Management** Processes, **Project Integration** Management, **Project** Management Plan, **Project Work** Monitoring & Control, **Project Scope** Management, **Project Time** Management, **Project Cost** Management, **Project Quality** Management, **Quality** Assurance, **Project Human Resource** Management and **Project Communications** Management. Further, he is also well-versed in Water Supply System Security, Vulnerability & Terrorism, Integrated Security Systems, Incident Threat Characterization & Analysis, Physical Security Systems, Security Crisis, Security Emergency Plan, Command & Control System, Preventive Actions and Situation Analysis. He was the **Psychologist** & **Project Manager** wherein he was responsible in the project management and private psychology practices.

During his career life, Dr. Le Roux has gained his academic and field experience through his various significant positions and dedication as the **Director**, **Medico Legal Assessor Psychologist**, **Training & Development General Manager**, **Project Manager**, **Account Manager**, **Commercial Sales Manager**, **Manager**, **Sales Engineer**, **Project Specialist**, **Psychology Practitioner**, **Senior HR Consultant**, **Senior Lecturer**, **Senior Consultant/Trainer**, **Business Consultant**, **Assistant Chief Education Specialist**, **ASI Coordinator**, **Part-time Lecturer/Trainer**, **PMP & Scrum Trainer**, **Assessor & Moderator**, **Team Leader**, **Departmental Head**, **Technical Instructor/Qualifying Technician**, **Apprentice Electrician: Signals** and **Part-Time Electrician** from various companies and universities such as the South African Railway (SAR), Department of Education & Culture, **ESKOM**, Logistic Technologies (Pty. Ltd), Human Development: Consulting Psychologies (HDCP) & IFS, Mincon, Eagle Support Africa, Sprout Consulting, UKZN, Grey Campus, Classis Seminars, CBM Training, just to name a few.

Dr. Le Roux has a **PhD** in **Commerce Major** in **Leadership** in **Performance & Change**, a **Master's** degree in **Human Resource Management**, a **Bachelor's** degree (with Honours) in **Industrial Psychology**, a National Higher Diploma and a National Technical Diploma in **Electrical & Mechanical Engineering**. Further, he is a **Certified Project Management Professional** (**PMI-PMP**), a **Certified Scrum Master Trainer** by the VMEdu, a **Certified Instructor/Trainer** and a **Certified Internal Verifier/Assessor/Trainer** by the **Institute of Leadership & Management** (**ILM**). Moreover, he is a **Registered Industrial Psychologist** by the Health Professions Council of South Africa (HPCSA), a **Registered Educator** by the South African Council for Educators (SACE) and a **Registered Facilitator**, **Assessor & Moderator** with Education, Training and Development Practices (ETDP) SETA. He has further delivered numerous trainings, courses, seminars, conferences and workshops globally.

**Training Methodology**

All our Courses are including **Hands-on Practical Sessions** using equipment, State-of-the-Art Simulators, Drawings, Case Studies, Videos and Exercises. The courses include the following training methodologies as a percentage of the total tuition hours:-

30% Lectures
20% Practical Workshops & Work Presentations
30% Hands-on Practical Exercises & Case Studies
20% Simulators (Hardware & Software) & Videos

In an unlikely event, the course instructor may modify the above training methodology before or during the course for technical reasons.

**Course Fee**

**US$ 3,750** per Delegate + **VAT**. This rate includes H-STK® (Haward Smart Training Kit), buffet lunch, coffee/tea on arrival, morning & afternoon of each day.

**Accommodation**

Accommodation is not included in the course fees. However, any accommodation required can be arranged at the time of booking.

**Course Program**

The following program is planned for this course. However, the course instructor may modify this program before or during the course for technical reasons with no prior notice to participants. Nevertheless, the course objectives will always be met:

**Day 1:**     **Sunday, 27th of October 2024**

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| 0730 – 0800 | *Registration & Coffee* |
| 0800 – 0815 | *Welcome & Introduction* |
| 0815 – 0830 | **PRE-TEST** |
| 0830 – 0900 | ***Understanding Contractual Claims:*** *Definition, Types, and the Importance of Claims in the Power Sector* |
| 0900 – 0930 | ***Legal Framework:*** *Overview of the Legal Aspects Governing Contractual Claims, Particularly Focusing on the Company's Operational Environment* |
| 0930 – 0945 | *Break* |
| 0945 – 1030 | ***Types of Contracts in the Power Sector:*** *Exploration of Common Contract Types (e.g., EPC, Turnkey) and their Specific Claim-Related Provisions* |
| 1030 – 1130 | ***Identifying Potential Claims:*** *How to Recognize Situations that May Lead to a Claim, Including Delays, Cost Overruns, and Scope Changes* |
| 1130 – 1200 | ***Contractual Obligations & Rights:*** *Review of the Rights and Obligations of all Parties Involved, Focusing on the Company's Contracts* |
| 1200 – 1230 | ***Case Studies of Past Claims:*** *Analyzing Historical Claims in the Power Industry, Focusing on Lessons Learned and Best Practices* |
| 1230 – 1245 | *Break* |
| 1245 – 1330 | ***Claim Identification Process:*** *Techniques for Identifying Valid Claims Early in the Project Lifecycle* |
| 1330 – 1400 | ***Documentation Requirements:*** *Importance of Accurate Record-Keeping and what Documentation is Essential for Supporting Claims* |
| 1400 - 1420 | ***Claim Notification Procedures:*** *How and When to Notify the Counterparty of a Claim According to Contractual and Legal Requirements* |
| 1420 - 1430 | ***Recap*** |
| 1430 | *Lunch & End of Day One* |

**Day 2:**          **Monday, 28th of October 2024**

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| *0730 – 0800* | ***Developing a Claim Strategy:*** *Strategic Planning for Claims, Including Determining the Best Approach Based on the Contract and Situation* |
| *0800 – 0830* | ***Cost Analysis & Impact Assessment:*** *Methods for Quantifying the Financial and Schedule Impacts of Claims* |
| *0830 – 0930* | ***Drafting a Claim Document:*** *Step-by-Step Guide to Writing a Compelling and Legally Sound Claim Document* |
| *0930 – 0945* | *Break* |
| *0915 – 1045* | ***Negotiation Techniques:*** *Essential Skills and Strategies for Negotiating Claims Effectively with Contractors, Suppliers, and other Stakeholders* |
| *1045 – 1130* | ***Understanding the Counterparty's Perspective:*** *How to Anticipate and Address Potential Objections and Defenses Raised by the other Party* |
| *1130 – 1200* | ***Alternative Dispute Resolution (ADR):*** *Exploring ADR Methods (Mediation, Arbitration, etc.) and their Applicability in the Power Sector* |
| *1200 – 1230* | ***Litigation vs. Settlement:*** *Assessing the Pros and Cons of Pursuing Litigation Versus Negotiating a Settlement* |
| *1230 – 1245* | *Break* |
| *1245 – 1330* | ***Case Study on Negotiated Settlements:*** *Reviewing Successful Claim Negotiations in the Power Industry, with a Focus on Company's -Specific Examples* |
| *1330 – 1400* | ***Role-Playing Exercise:*** *Practical Negotiation Exercise Simulating a Contractual Claim Scenario* |
| *1400 - 1420* | ***Managing Complex Claims:*** *Strategies for Handling Multi-Issue and High-Value Claims* |
| *1420 - 1430* | ***Recap*** |
| *1430* | *Lunch & End of Day Two* |

**Day 3:**          **Tuesday 29th of October 2024**

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| *0730 – 0800* | ***Claims Avoidance Techniques:*** *Proactive Measures to Reduce the Likelihood of Claims Arising During Project Execution* |
| *0800 – 0900* | ***Use of Technology in Claim Management:*** *Overview of Software Tools and Technologies that can Aid in Tracking, Managing, and Resolving Claims* |
| *0900 - 0930* | ***Risk Management & Its Role in Claims:*** *Understanding the Link Between Risk Management and Claim Mitigation* |
| *0930 – 0945* | *Break* |
| *0945 – 1045* | ***Global Standards & Best Practices:*** *Introduction to International Standards in Claims Management, Including FIDIC Guidelines* |
| *1045 – 1130* | ***Interactive Case Study:*** *Analysis of a Complex Claim Situation in a Power Project, Exploring How Advanced Techniques Were Applied* |
| *1130 – 1200* | ***Simulated Claim Scenario:*** *Participants work Through a Simulated Claim Situation from Identification to Resolution, Applying all Concepts Learned* |
| *1200 – 1230* | ***Group Presentation on Claim Management Strategy:*** *Each Group Presents their Approach to Managing the Simulated Claim, Followed by Feedback* |
| *1230 – 1245* | *Break* |
| *1245 – 1315* | ***Critical Analysis of Real-World Claims:*** *Examination of Recent Claim Cases Within the Similar Power Utilities, Identifying Key Takeaways* |
| *1315 – 1400* | ***Claim Audits & Reviews:*** *How to Conduct an Internal Audit of Claims to Ensure Compliance and Readiness for External Scrutiny* |
| *1400 – 1415* | ***Course Conclusion*** |
| *1415 - 1430* | *Presentation of Course Certificates* |
| *1430* | *Lunch & End of Day Three* |

**Practical Sessions**

This practical and highly-interactive course includes real-life case studies and exercises:-



**Course Coordinator**

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