

COURSE OVERVIEW CM0019 Contract Development & Management

Course Title

Contract Development & Management

Course Reference

CM0019

Course Duration/Credits

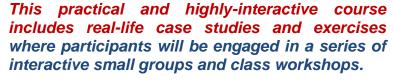
Five days/3.0 CEUs/30 PDHs





Course Description







Successful sourcing relationships are based on careful and detailed preparation before the contract is signed. Both parties need a clear understanding of the type of relationship desired. Sourcing contracts can consist of anything from a brief document with a price list attached, to hundreds of pages of legal documentation, terms, schedules, and flow charts. Initiating and managing contracts can be a complex process that requires a thorough understanding of specific planning and procurement activities. As such, contract management is a systematic process in the purchasing and selling of services and products that involves specific phases and associated activities, including: Planning and Procurement, Award and Implementation.



The right Contract Strategy is the primary factor in determining contractor performance. It defines the way work will be allocated among contractors, the type of contractors to use, form of contracts (e.g., lump sum or reimbursable cost), the allocation of risks, and how benefits or incentives will be used.

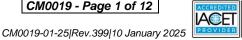






















The optimum contract strategy is unique to each project, and must reflect cost and savings objectives, the level of scope definition, prevailing market conditions, technology involved to be managed, location, specialized skills and services required, and the allocation of responsibilities between owner and contractor.

This course will focus on the key contract management phases and activities from both the buyer's and seller's perspectives. It will provide you with the practical knowledge and understanding of the contract procurement process, through interactive discussions and group exercises, focusing on realistic contracting examples and situations. You will be given guidelines and checklists to assist in your contract planning and management.

The course will cover strategic planning within an organization and the importance of its relationship to procurement planning. Planning models will be discussed as budgeting. Developing key partnerships within the organization in requirements determination will be explored, as this will lead to the development of proper specifications. Pricing strategies such as cost analysis and life cycle costing will also be covered. The intent is for the participant to develop a strong understanding of the complexities of contract administration and recognize the importance of planning, monitoring, and proactive insight into and oversight of contract performance.

Further, the course is designed to help participants fully realize the risks of conflicts and disputes associated with the contract during its different phases, and to define and fully understand the parties' obligations to mitigate such risks. Participants will learn how to develop the necessary management and mitigation measures to avoid the negative outcomes of such conflicts and how to implement them in the General and Particular Conditions of contract during the contract planning stage. They will also learn how to select procurement strategies and procedures for dispute avoidance and how to select the best contractor for the job. Participants will also be presented with the pre-contract award activities needed to reduce the potential of conflict during project execution.

Course Objectives

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

- Gain an advanced knowledge on contract management and apply its proven techniques, tools and procedures on planning, strategy, development, legal, negotiation, disputes, claims, counter claims, risk and administration
- Select the most appropriate contract strategy
- Design the contract to mitigate the risk of disputes and design a dispute resolution system
- Select the most suitable contractor and establish the responsibility matrix
- Discuss the project life cycle and the opportunities available in forming an effective approach to contract strategy
- Explain the effect of various organizational roles and their impact on the management and execution of the contract
- Improve their understanding of various types of contracts and the suitability of each one to the particular requirements of the client and contractor













- Create, maintain and enhance effective working relationships through consideration of more collaborative working, joint venture, partnering and alliances
- Apply the contracting policies applicable, and operational aspects of project management in the industrial and commercial environment
- Improve the understanding of contract risk in projects and the development of effective contingency arrangements
- Apply the methods used in review of project performance
- Develop effective management of project handover
- Obtain an awareness of the legal implications of the contracting process and appropriate remedy for disputes resolution and minimization of conflict

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 conveniently saved in a **Tablet PC**.

Who Should Attend

This course provides an overview of all significant aspects and considerations of contract management for those involved in the planning, administration and close-out of projects and contracts, whatever their particular responsibilities are, who wish to learn how to manage conflicts that might arise between any of the parties during any phase of the project's or contract's progress and execution. It is specifically designed for project managers and engineers, project owners, contract managers, contractors, subcontractors, consulting engineers and construction management executives who wish to obtain the practical knowledge and expertise necessary to make a positive and effective contribution to the successful achievement of their project's or contract's objectives. The course is also beneficial for owner and user organizations, regulatory or governmental industrial designers, designer-builders, agencies. architects, planners, representatives, project superintendents, expediters, operational personnel, facilities engineers and industrial designers.

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

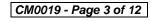
20% Practical Workshops & Work Presentations

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 Certificate(s)

(1) Internationally recognized Competency Certificates and Plastic Wallet Cards will be issued to participants who completed a minimum of 80% of the total tuition hours and successfully passed the exam at the end of the course. Certificates are valid for 5 years.

Recertification is FOC for a Lifetime.

Sample of Certificates

The following are samples of the certificates that will be awarded to course participants:-





















(2) Official Transcript of Records will be provided to the successful delegates with the equivalent number of ANSI/IACET accredited Continuing Education Units (CEUs) earned during the course.

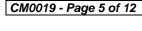
























Certificate Accreditations

Certificates are accredited by the following international accreditation organizations:-



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.



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 **3.0 CEUs** (Continuing Education Units) or **30 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.

Course Fee

Doha	US\$ 6,000 per Delegate. This rate includes H-STK® (Haward Smart Training Kit), buffet lunch, coffee/tea on arrival, morning & afternoon of each day.
Kuwait	US\$ 5,500 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 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 Project & Management Consultant with over 45 years of teaching, training and industrial experience. His expertise lies extensively in the areas of 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, Project Communications Management, Contract Management, Tender Development, Contract Standards & Laws, Dispute Resolution & Risk Identification, Myers-Briggs Type Indicator (MBTI), Organization Development Consultation, Advanced Debriefing of Emotional Trauma, Interpersonal Motivation, Model Based Interviewing, Leadership Orientation Programme, Coaching & Motivation, Creative Thinking & Problem-Solving Techniques, Emotional Intelligence, Presentation Skills, Communication & Interpersonal Skills, Effective Communication & Influencing Skills, Effective Business Writing Skills, 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, Global Diverse & Virtual Teams Operation, Exceeding Customer Expectations, Corporate Governance Best Practice, Business Performance Management & Improvement, Building Environment of Trust & Commitment, 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 and Financial Administration. 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.

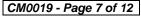
Dr. Le Roux has a PhD in Commerce Major in Leadership in Performance & Change, a Master's degree in Human Resource Management, a Bachelor's degree (with Honours) in Industrial Psychology, a National Higher Diploma and a National Technical Diploma in Electrical & Mechanical Engineering. Further, he is 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.























Course Program

The following program is planned for this course. However, the course instructor(s) 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:

Dav 1

Day I	
0730 - 0800	Registration & Coffee
0800 - 0815	Welcome & Introduction
0815 - 0830	PRE-TEST
	Contract Management
0830 - 0930	The Economy • The Economy/Contract Discussion • What is Contract? •
	What is Contract Management? • The Purpose • Contracting Process
0930 - 0945	Break
	Contract Management (cont'd)
0945 - 1130	Advanced Contract Management • Course Overview • Course Overview -
0545 - 1150	Advanced Contract Management • Objectives • Sourcing/Procurement
	Contracts • Case Study
	Contractors Versus Project Managers
	Contractors + Project Managers • Develop the Contract • Develop the Tender
1120 1220	Process • Develop the Contractors • Goods and Services • Procurement
1130 – 1230	Contracts • Project: Definition • Project Management in General • Innovation •
	Why Project? • Project Phases • Project Manager • Skills • Project
	Management • Performance Monitoring
1230 - 1245	Break
	Contractors Versus Project Managers (cont'd)
	Project Environment • Identify Stakeholders • Steps of Stakeholder Analysis •
1245 1420	Student Syndrome • Parkinson's Law • Dependency • Procurement Contracts –
1245 – 1420	Summary • Procurement • Procurement Planning • Contract • Contracting •
	Contracts and Contractors • Labor Contracts • Project Contract Administration
	• Project Contract Closure
1420 - 1430	Recap
1430	Lunch & End of Day One

	Contract Management & Methods
	Understanding the Contract Management Process • The Contract Management
	Process • Contract Law • Definition of a Contract • Contract • Contract
0730 - 0900	Essentials • Sales Contract • Essentials of a Sales Contract • Nature of Sales
	Contract • Common and Statutory Law • Terms • Definition Buyer, Seller,
	and Subcontractor • Buyer or Customer • Buyer • Customer & Seller •
	Contractor • Service Provider • Use of Contracts
0900 - 0915	Break
	Contract Management & Methods (cont'd)
	Buyer - Seller Perspectives • Type I Acquisition: Pricing Considerations • Type
0915 – 1100	II Acquisition: Pricing Considerations • Teamwork - Roles and Responsibilities
0913 - 1100	• Responsibility Matrix • Responsibility Matrix Steps • Types of Authority •
	Privity of Contract • Global Contracting Concepts and Principles • Global
	Contracting Principles • Elements of a Contract • Offer & Acceptance











	Contract Management & Methods (cont'd)
	Competent Parties • Consideration • Legality of Purpose • Ability to Perform
	• Contract Law • Terms and Conditions • Interpreting Contract Provisions •
1100 - 1230	Interpretation Rules • Contracting Methods • Competitive and Non-
	Competitive • Competitive Procurement • Simplified Acquisition • Full and
	Open Competition (FOC) • Competitive Procurement Methods • Sealed
	Bidding
1230 - 1245	Break
	Contract Management & Methods (cont'd)
	Steps to Sealed Bidding • Negotiated Procurement • Request for Proposals
1245 - 1420	(RFP) Steps • Two-Step Sealed Bidding • Two-Step Sealed Bids • Non-
1243 - 1420	Competitive Procurement • Sole-Source • Purchase Agreements vs. Contracts •
	Single-Source Negotiation vs. Sole-Source Negotiation • Purchasing Card •
	Imprest Funds • Imprest Funds Usage • Auctioning
1420 - 1430	Recap
1430	Lunch & End of Day Two

Day 3	
	Procurement & Administration
	Pre-Award Phase • The Procurement Process • Types of Procurement • Project
	Management Procurement • Project Contract Cycle • Contract Planning •
	Procurement Planning • Make or Buy Analysis • Procurement Plan • Plan
0730 - 0900	Should Cover • Procurement Planning • Procurement Requirement
	Determination • Statement of Work • Market Study • Market
	Research/Market Study • Market Study • Preliminary Budgets • Cost
	Estimate • Procurement Documents • Solicitation Process • Bid/No-Bid
	Decision • Proposals • Purpose of a Proposal
0900 - 0915	Break
	Procurement & Administration (cont'd)
	Proposal Preparation • Proposal Team - Client Perspective • Proposal Office •
	Proposal Team Representation • Roles and Responsibilities • Specialist Groups
0915 - 1100	• Proposal Types • Commercial Proposals • Developing Contract Pricing
	Agreements • Contract Types • Contract Types • Variability of Contracts •
	Developing Contract Agreements • Categories and Types of Contracts •
	Contract Terminology
	Procurement & Administration (cont'd)
	Contract Types • Common Variations - Contracts • Comparison of Common
	Contract Types • Contract Type Considerations • Contract Selection Basis •
1100 - 1230	Contract Negotiation • Award Phase • Source Selection • Elements in Source
	Selection • Result of Vendor Selection • Contract Administration • Contract
	Planning • Government Oversight • Claims Review Procedures • Personnel
	Qualification • Compensation of Contractor • Contract Administration Teams
1230 - 1245	Break













1245 – 1420	Procurement & Administration (cont'd) Functions of ACO • Ambiguity Resolution • Contractual Changes • Constructive Change • Termination of Contract • Customer Reasons for Termination • Contractor Default • Subcontracting • Statutory Compliance • General Methods of Enforcement • Labour Laws • Intellectual Property Rights • Change Management • PURR/R • Risk Management • Case: Download • Where is Risk? • Risk Management Prioritizing • Risk Management Plan Table • Risk Response • Risk and Uncertainty • Risk • Components of Risk • Types of Project Risks
1420 - 1430	Recap
1430	Lunch & End of Day Three

Day 4	
0730 - 0900	Contract Planning & Strategies Case Study: Contract Administration Office Functions • Claim Protection and Mitigation • Contract Planning to Minimize Conflict • Project Management Life Cycle • The Process Flow of a Project • Construction Conflict • Cost Monitoring and Payment • Issues in Cost Monitoring • Detection and Analysis of Claim Events • Areas Covered by Contractual Clauses • Selecting Contracting Strategies and Procurement Methods to Minimize the Risks of Conflict during the Project • Contract Types: Guaranteed Max Price • Contract Types: Lump Sum • Contract Types: Unit Price Contract • Contract
	Types: Cost Plus Contract
0900 - 0915	Break
0915 – 1100	Contract Planning & Strategies (cont'd) Contract Types • Selecting Contracting Strategies and Procurement Methods to Minimize the Risks of Conflict during the Project • Design-Build Contracts • Construction Management Contract • Selecting an Appropriate Form of Procurement to Minimize Conflict • Designing a Dispute Resolution System • Detection and Analysis of Claim Events • Suspension of Work • Re-Sequencing of the Work
1100 - 1230	Contract Planning & Strategies (cont'd) Variation Orders • Variations in Estimated Quantities • Variation Order Cost Adjustments • Adjustments for Price and Profit • Detection and Analysis of Claim Events • Differing Site Conditions • Defective Specifications and Drawings • Acceleration of the Work • Force Majeure • Termination for Convenience • Termination for Default and Re-Procurement
1230 – 1245	Break
1245 - 1420	Develop & Maintain Qualified Bidder's List What Is Qualified Bidder? • What Is Approved Bidders List? • Selecting Qualified Suppliers • Develop and Maintain Qualified Bidder's List Conclusion
1420 - 1430	Recap
1430	Lunch & End of Day Four













Day 5	
	Variations, Damages & Risk
	Variation Order Cost Estimates • Performance Measurement & Improvement •
	Changes in the Contract • Time of Acceptance • Compensation for Rejected
	Change Order Estimates • Reservation of Indirect Costs • Forms for Pricing
	Changes • Counterclaims Against the Contractor • Counter Claims • Set-Off
0730 - 0900	Claims by the Employer • Liquidated Damage Claims by the Employer • Claims
	by the Employer Arising from Defective Materials and Workmanship • Claims by
	Sub-Contractors for Money Arising from Delays and Disruption Caused by the
	Contractor Under the Contract • Client Claim Against Contractor • Claims for
	Delay • Typical Project Owner Claims • Liquidated Damages • Requirements
	for Liquidated Damages • Actual Damages
0900 - 0915	Break
	Variations, Damages & Risk (cont'd)
	Typical Contractor Delay Claims • Delay Claims • Excusable Delays • Force
	Majeure • Compensable Delays • Delay on Critical Path • Doctrine of
	Concurrent Delay • Procedures for Limitation of Delay Claim • Actions to be
	Taken by Contractor • Un-Liquidated Claim • Evaluation of Claims Related to
	Project Scheduling • Scheduling Provisions • Emphasis on Network Analysis
	Techniques • Techniques for Providing Delay with CPM • Concurrent Delays
0915 – 1100	• Acceleration/Job Compression • Acceleration/Job Compression • Checklist for
0313 - 1100	Use of CPM in Litigation • Damages Due to Delay • Assessment & Proof of
	Damage for Delay • Relative Merits of
	Liquidated vs. Un-liquidated Damages • Risk Management in Service Contracts •
	Risk Management • Risk Management Process • Risk Handling Strategies •
	Past Performance Issues • Dispute Resolution • ADR in the Construction
	Industry • Administrative Close Project • Close Project • Warranty • Contract
	Close-Out • Risk Closeout
	Procurement & Dispute Resolution
	Procurement Management • Project Procurement Management •
1100 – 1200	Management: A Definition • Project Management: A Definition •
1100 1200	Management Decision-Making • Business Decisions • Procurement
	Management • Close Procurement Contract
1200 – 1215	Break
1200 1210	Communications with Vendors: Communication Skills in Project
	Management Video
1215 – 1245	Communications with Vendors • Dispute Resolution • Negotiating •
1210 1210	Arbitration • Litigation • Alternative Dispute Resolution • Procurement
	Contracts • Procurement Contracts – Summary • Recommended References
1245 – 1300	Get It Right First Time
1300 – 1315	Course Conclusion
1315 – 1415	COMPETENCY EXAM
1415 – 1430	Presentation of Course Certificates
1430	Lunch & End of Course
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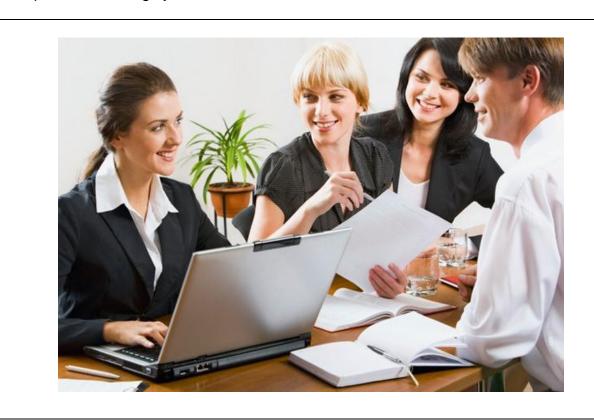






Practical Sessions

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



Course Coordinator

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