



Negotiating & Drafting Contracts Training Seminar



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Introduction

Contracts are the basic structure of all business relationships, whether for the construction of a major new facility or the supply of stationery; the terms and the management of the contract itself are critical to the success of all companies.

This negotiating and drafting contracts workshop is central to understanding contract negotiation training, drafting, and negotiation. Contracts touch every aspect of business life, and all staff whether directly involved in contract management or not must understand how they operate, particularly in an international context.

The negotiating and drafting contracts training covers the three stages of contracting: negotiating the deal, documenting that deal robustly but practically, and managing the performance of the contract itself. The intention is to develop general skills that can be applied to a wide range of contracts and to allow participants to be aware of practices in other areas and industries that may add value to their situations.

This negotiating and drafting contracts seminar fits into the contract negotiation training seminar framework, allowing participants to consider matters from the other party's perspective of a contract.

Targeted Groups

- Contract Administrators, Contract Professionals, and Project Coordinators.
- Supply Officers, Buyers, Purchasing and Procurement Professionals.
- The Project, Construction, Cost, and Quantity Professionals.
- Claims Personnel, including Legal Advisers.
- Contracts Managers.
- Those new to the function, preparing for a major project, or experienced professionals looking for a refresher.
- Those seek to extend their skills and knowledge to the contracting area to improve their profile.

Conference Objectives

By the end of this contract negotiation seminar, participants will be able to:

- Emphasize the need to negotiate the deal before structuring the contract documentation.
- Provide tools and techniques to assist in such negotiations.
- Examine the drafting and modification of specific contract clauses using real examples.
- Look at some of the differences in approach in different jurisdictions and the common themes that run through contracting
- Review some of the skills that will enhance the efficient management of contracts.
- Examine ways to avoid disputes or to manage them successfully.

Targeted Competencies

Upon the end of this contract negotiation seminar, target competencies will:

- Negotiation.
- Structure contracts.
- Contract drafting.
- Deal with qualifications for contracts.
- International contracting.
- Avoid disputes.
- Resolve disputes.

Enhancing Contract Negotiation Skills

In our specialized contract negotiation workshop, participants in this negotiating and drafting contracts seminar will cultivate the necessary skills to negotiate contract terms and reach amicable agreements. These techniques are pivotal in drafting and negotiating commercial contracts effectively.

Participants who wish to delve further into the intricacies of drafting and negotiating contracts will gain advanced knowledge and skills for tackling complex scenarios. This contract negotiation conference will culminate with practical sessions and engage participants in real-world contract scenarios to ensure they are well-equipped to handle future contract challenges.

Conference Content

Unit 1: The Deal Behind the Contract and How Do We Get There?

- What constitutes a contract?
- How do you structure commercial arrangements?
- Innovative Commercial Solutions E.G., Partnering, and BOOT Contracts.
- How do we negotiate a contractual structure in contract drafting workshops?
- Basic techniques for negotiation.
- How do we document discussions?
- Understand the relationship between negotiation and contract drafting.
- Close a deal.
- Deal with difficult negotiators.

Unit 2: Drafting Contracts

- Use standard forms.
- Develop your standards within a contract drafting seminar.
- Modifying forms.
- Deal with contract qualifications and amendments.
- Structure complex documents.

Unit 3: Negotiating Contracts

- Level playing field issues - how to be fair to more than one bidder.
- Deal with errors in a bid as a part of contract drafting and negotiating.
- Negotiate complex wording.
- Formalities to finalize the contract.
- Authority to sign.

Unit 4: Drafting Specific Clauses

- Performance of the work.
- Title.
- Risk.
- Intellectual property.
- Overview of variations to the contract and the scope of work.
- Extension of time.
- Force majeure.
- Time for completion.
- Understand liquidated damages and penalties.
- Acceptance and testing.
- Termination and suspension.
- Learn about the Law of the contract and dispute resolution.

Unit 5: Management of Contracts

- Risk assessment and management.
- Kick-off meetings.
- Assignment of responsibilities.
- Learn how to set and manage expectations.
- Planning.
- Report with being realistic with requirements.
- Progress meetings and expediting.
- Deal with defaults.
- Deal with external factors e.g., and force majeure.
- Recognize and manage change.
- The contract terms.
- The scope of work.
- Payment issues include international trade.
- Closeout.
- Lessons learned.

Unit 6: Dealing with Disputes

- Recognize potential problems.
- Dealing with issues as they arise.
- Legal rights and commercial outcomes are distinguished.
- Overview of negotiation structures for internal dispute resolution.
- Types of External Dispute Resolution.
- Litigation.
- Arbitration.
- Adjudication.
- Expert determination.
- Mediation.
- Issues with different legal systems.
- Enforcement of awards.
- Management of disputes.
- Avoid disputes in the first place.