



Contract Drafting for Procurement,  
Tendering & Commissioning  
Conference



# Contract Drafting for Procurement, Tendering & Commissioning Conference

## Introduction to Contract Drafting

The critical importance of effective and appropriate contract drafting catered to specific business needs and situations cannot be emphasized enough. Robust contracts identify and minimize risk for the organization, ensuring that projects and procurement are executed efficiently and without costly disputes. The contract wording often needs to be properly understood, which detrimentally affects project performance and can lead to contract failure.

Procurement and tendering have evolved into highly sophisticated processes. To enhance the effectiveness of their procedures, individuals must be conscious of current best practices adopted by major international corporations. This advanced contract drafting and procurement conference will aid individuals in handling contract wording and procedures to maximize organizational benefits and minimize risks.

## Advanced Contract Drafting and Tendering Techniques

In this advanced contract drafting and procurement conference segment, we delve into advanced contract drafting techniques and refine our understanding of the contract tendering process. Through interactive contract drafting workshops and seminars, participants will explore the nuances of tender and contract management.

Experts in the field will guide attendees through practical exercises that emphasize strategic considerations in the tendering and contract management sphere. The attendees will be equipped with a robust procurement and contract management certificate to demonstrate their enhanced capabilities.

Commissioning contracts can be a complex endeavour requiring an in-depth understanding of contract and procurement processes' technical and legal aspects. The advanced contract drafting and procurement workshop dedicated to contract commissioning will focus on the strategic elements involved in bringing contracts to life, addressing common challenges and outlining effective strategies for successful implementation.

## Targeted Groups

- Contract Administrators, Contract Professionals, and Project Coordinators.
- Procurement Managers.
- Purchasing Managers.
- Specifiers, Buyers, Purchasing Professionals, and Procurement Officers.
- Contracts Managers.
- Project Managers.

## Conference Objectives

By the end of this advanced contract drafting and procurement conference, participants will be able to:

- Provide an understanding of contract structures and why contracts are drafted in a particular manner.
- Explain the commercial impact of key contractual provisions.
- Develop an understanding of the interaction between contractual provisions and the need for consistency.
- Identify where things can go wrong and learn to avoid problems or mitigate their effects through well-drafted contracts and good management.
- Understand how to avoid disputes but learn how to deal with them if they arise.
- Examine the legal effectiveness and formation of contracts.
- Assess the appropriate contract type and tender process.
- Focus on key contract clauses, emphasizing risk, remedies, and insurance.
- Secure the performance of a party's obligations.
- Approach dispute resolution and dispute avoidance efficiently.

## Targeted Competencies

By the end of this advanced contract drafting and procurement conference, participants will be able to:

- Allocation of contractual risk.
- Selection of appropriate form of contract/tender.
- Contract management and administration skills.
- Understanding contract wording.
- Proficiency in drafting.
- Skilled negotiating.

## Conference Content

### Unit 1: The Importance of Contracts

- The Importance of Contracts.
- Controlling the contract process.
- Understanding the deal.
- Controlling the negotiation.
- Tips for Effective Negotiation.
- Contract Formation.
- Offer and Acceptance.
- Battle of the forms.
- Consideration and Intention.
- Oral or written contracts?
- Electronic contracts.
- The value of due diligence and financial stability.

## **Unit 2: Tender Process and Different Contract Types**

- Auctions and Bids.
- Tender Process.
- Invitations to tender.
- Request for Proposal RFP.
- Request for Quotation RFQ.
- Pre-qualification.
- Compliance.
- Letters of Award.
- Heads of Terms and Letters of Comfort.
- Which contract type to select?
- Advantages and disadvantages of the main contract types.
- What is the problem with fixed fees?
- Modern methodology.
- Economic Price Adjustment clauses.
- Bonds and Guarantees.
- Compliance with law/change of law.

## **Unit 3: Main Contract Clauses**

- Obligation to deliver/perform.
- Controlling subcontractors.
- Monitoring and Milestones.
- Securing Payment.
- Ensuring prompt payment.
- Non-payment remedies.
- The use of Letters of Credit.
- Parent Company Guarantees.
- Time and place of delivery.
- Transfer of title and risk - ICC Incoterms.
- What are the retention of title clauses?
- Why is time of the essence important?
- Delivery, Ownership, and Risk in Procurement.
- Insurance.
- Indemnities - when we need them.
- Liquidated Damages/Penalties and the dangers.

## **Unit 4: Other Key Considerations During the Commissioning Process**

- Variations and changes.
- Liability beyond the contract.
- The value of Intellectual property.
- When do contracts end?
- Limiting liability.
- Warranty.
- Which law to apply to the contract?
- Final contract review and closeout process.



## Unit 5: Dealing with Disputes

- Compromise and settlement.
- Dispute Resolution clauses.
- Litigation.
- Arbitration.
- Modern methods of resolving disputes.
- Mediation.
- Conciliation.
- Early Neutral Evaluation.
- Expert Determination.

## Conclusion

The contract drafting for procurement, tendering, and commissioning conference is a comprehensive event designed for professionals seeking to deepen their expertise in drafting, negotiating, and managing contracts.

This international contract drafting conference provides attendees with a powerful mix of theoretical knowledge and practical experience. The advanced contract drafting and procurement conference is an invaluable opportunity for those seeking a contract drafting certificate to advance their careers in this critical field.