



Institute for Capacity Development (ICD)

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Effective Contract Administration, Claims Management and Dispute Resolution

Course Objectives

On completion of the course participants should be able to:

- Avoid basic errors which invalidate contracts or cause confusion later
- Draft well structured, practical, clear and concise documents
- Use clear specific words and phrases to set out obligations and benefits
- Effectively conduct contract administration and manage change
- Interpret contracts and recognize terms and conditions that protect or threaten you
- Keep contracts and subcontracts on track every step of the way
- Modify, terminate and closeout contracts

Target Groups

- Managers,
- Executives and Directors
- Lawyers and Legislators
- Senior Government Officials
- Negotiation Specialists
- Buyers and Procurement officers
- Other staff that have to negotiate as part of their job.

Course Outline

- General Management Principles and Skills
- Introduction to Contract Planning and Administration
- How to build and develop effective working relationships
- Effective Contract Planning
- Early project development and specification
- Pre-award meeting and contract negotiation
- Documenting agreements to prevent disputes
- Tools for Preventing Disputes and Claims
- Critical clauses and requirements
- Identifying the key factors to be taken care of while drafting a contract
- Structure and format of agreements
- Planning the contract

- Structuring clauses
- Basic contract law relating to obligations and liabilities
- Negotiating terms and conditions
- Being exact and concise in contracts
- Penalties and remedies for breach and infringement
- Drafting dispute resolution clauses in contracts to avoid or minimise costs of disputes with special emphasis on arbitration
- Contract amendments and variations
- Payments schedules and payment for contract changes
- Subcontracting
- Contract Performance
- Monitoring performance and responding to poor performance or slippage
- An overview of the dispute resolution process
- Negotiation of Contracts & Modifications
- Types of contract modifications
- Contract renewal vs. switching to a new supplier
- Steps in performance monitoring
- Determining monitoring level (risk assessment)
- Measuring contract performance status
- Inspection
- Acceptance or rejection of supplies and services
- Steps in contract administration problem resolution
- Identifying performance problems
- Dealing with delays
- Claims Prevention and Avoidance
- The key principles to claims prevention
- Claims management
- Alternative dispute resolution (ADR)
- Contract Payments
- Types of contract termination
- Termination for default process
- Steps in contract closeout
- Quick closeout procedures
- IT Skills
- Action planning

Dates: 01st – 12th October 2018

Cost: US\$3250

Duration: 2 weeks

Venue: Pretoria, RSA