

**Course Name: Negotiating, Drafting & Understanding Contracts**

**Reference Code: Co Ma101**

### **About the course:**

This training course covers Examining the latest techniques required in order for you to consider and negotiate contracts with confidence

and Considering principles widely used in international contracting, risk allocation and dispute management in contractual disputes

### **Course Objective:**

- Understand the need to negotiate the “deal” before structuring the contract documentation
- Utilise the tools & techniques to assist in such negotiations & enhance the efficient management of contract
- Assess the drafting and modification of specific contract clauses, using real examples
- Introduce some of the differences in approach in different jurisdictions
- Examine ways to avoid disputes, or to manage them successfully

### **Who Should attend?.**

- Contract Administrators, Contract Professionals and Project Coordinators
- Supply officers, Buyers, Purchasing & Procurement Professionals
- Project, Construction, Cost and Quantity Professionals
- Claims Personnel, including legal Advisers
- Contracts Managers

### **Course Methodology:**

This training course is designed to be a hands-on, stimulating experience. The training

#### **Kingdom of Saudi Arabia**

101 Business Tower, 8th Floor  
Al Jubail 35513, Bldg# 9278 ,KSA  
Tel.: +966 13 361 5552

#### **Kingdom of Saudi Arabia**

Khobar Gate Tower  
King Fahad Street , Khobar 31952  
Tel.: 00966133308334

course is highly interactive with many discussion and practice sessions.

- ☒ Relevant computer simulations and videos .
- ☒ Copies of all presentation material.
- ☒ Variety of Learning Methods.
- ☒ Pre-test and final test.
- ☒ Case Study
- ☒ Training Groups.
- ☒ Presentation.
- ☒ Lectures

### Course Outline:

#### Day One: What is the “Deal” Behind the Contract, and How Do You Get There?

- What constitutes a contract: form, ingredients and basic structure
- The context of commercial arrangements
- Innovative commercial solutions (e.g. Partnering, “BOOT” contracts etc)
- Relationship between negotiation and contract drafting
- Closing a deal - Authority to sign and agency principles
- Formalities to finalise the contract

#### Day Two: Negotiating and Drafting Contracts

- Negotiating Principles in Contracting
- Negotiating in difficult and complex situations
- Structuring complex documents – the hierarchy of terms
- Using and modifying standard forms

#### Kingdom of Saudi Arabia

101 Business Tower, 8th Floor  
Al Jubail 35513, Bldg# 9278 ,KSA  
Tel.: +966 13 361 5552

#### Kingdom of Saudi Arabia

Khobar Gate Tower  
King Fahad Street , Khobar 31952  
Tel.: 00966133308334

- Precedent in international contracting
- Dealing with contract qualifications and amendments

### Day Three: Drafting Specific Clauses

- Operative provisions and performance obligations
- Title, Risk and Payment provision
- Contract variations: transfer of rights, amendment and the scope of work
- Termination, suspension and remedies for default
- Limitation and exclusion of liability, force majeure and waiver
- Law of the contract and dispute resolution

### Day Four: Effective Contracts Management

- Risk assessment and management
- Assignment of responsibilities and kick-off meetings: setting and managing expectations
- Dealing with defaults, delay and disruption
- Managing claims
- Payment issues – including international trade
- Lessons learned

### Day Five: Dealing with Disputes

- Recognising potential problems and dealing with issues as they arise
- Legal rights and commercial outcomes distinguished
- Negotiation structures for internal dispute resolution
- External dispute resolution – Litigation and Arbitration
- Modern alternatives in dispute resolution - Adjudication, Expert Determination, and Mediation

#### Kingdom of Saudi Arabia

101 Business Tower, 8th Floor  
Al Jubail 35513, Bldg# 9278 ,KSA  
Tel.: +966 13 361 5552

#### Kingdom of Saudi Arabia

Khobar Gate Tower  
King Fahad Street , Khobar 31952  
Tel.: 00966133308334

- Overview of seminar, and final question session

**Time:** 08:00 AM -03:00 PM **Numbers of hours:** 35 Hours

**Kingdom of Saudi Arabia**

101 Business Tower, 8th Floor  
Al Jubail 35513, Bldg# 9278 ,KSA  
Tel.: +966 13 361 5552

**Kingdom of Saudi Arabia**

Khobar Gate Tower  
King Fahad Street , Khobar 31952  
Tel.: 00966133308334