

CONTRACT MANAGEMENT

Category: Contract Management and Administration

Course Name: Understanding Risk Management

Course Length: 2 days

Instructor: William A. Agee

About this Course:

The concept of risk management is one of those areas often discussed but pushed off the desk quickly. In many contracts it is often desired to push as much risk to the other side of the table as they are willing to accept so that you can minimize it, on paper, to your side. However, should the contractor even agree to accept all risk, budget, schedule, technical, process, that does not mean you are off the hook. If the contract is later defaulted on and the supplier or contractor goes immediately into bankruptcy protection or even out of business the bulk of the risk will end up back on your desk with a shorter horizon to fulfill the drop dead date for the customer and with possibly less budget money available. Risk comes in many forms and the astute project, contract manager, contract administrator, supply chain manager or buyer must be able to minimize such risk and mitigate its negative impact upon the organization. The tools and technics identified in this session will assist the profession ensure he is during professional level work for the organization.

'Remember, you can't manage, what you can't see.'

The topics covered in this course are:

- Understand the relationship between risk and contract fulfillment
- Identify the sources of risk
- Sources of contract risk
- Understanding pre-contract risks
- Risky terms in negotiating business contracts
- How contract selection selects contract risks
- Creating a contract risk matrix
- Understanding the circumstance leading to a risk impact; schedule, budget, technical or process

Objectives:

The purpose of this session is to gain a deeper awareness of the impact and circumstance surrounding a risk profile. Senior managers always think and concern themselves with risk in projects or major contracts. Make buyers and contract managers aware of the sources of risk in contracts. Make the professionals aware of the risks associated with selecting a certain style of contract. Make the managers aware of the risks connected with various types of project under a buyers/contract manager's control.

Benefits:

The participants will learn:

- What contract risks are
- When these contract risks can be expected in certain project
- What the sources of risk are to ensure they are controlled
- Identify pre-contract risk in all projects
- Key terms to negotiate in and out of a contract
- What issues typically cause claims and disputes in contracts
- How best to treat contracts risks
- Type of contracts to employ
- How to anticipate risks before they become full circle

Category: Contract Management

Course Name: Contract Administration

Course Length: 2 Days

Instructor: William A. Agee

About this Course:

It has been called the 'icing on the cake' of a good acquisition. The best selection of a vendor, the best acquisition method employed by the buyer and the lowest price can suddenly become the worst nightmare without effective contract administration.

Contract Administration is a process of ensuring compliance to contractual obligations both inside the agency as well as to those on the outside. The contract administrator is the focal point of ensuring the success of the purchase as well as to protect the agencies right in the event of default on the contractor. However, many are thrust into this critical position without any degree of proper training or education.

Recommended for: both the new and experienced contract administrator, purchasing professionals, agency managers and directors

Objectives:

This session covers the elements necessary for success in the completion of administering a contract. Areas covered include:

- Role of contract administration
- Qualifications of a contract administration
- Elements of the pre-award review
- Preparing a proper proposal
- Effective planning in contract administration
- Project management for administering contract compliance

- Skills of an effective contract administration
- Developing the communications process and monitoring contract fulfillment
- Functional tools of the contract administration
- Contract claims and resolutions
- Methods of contract reimbursement
- Proper methods of contract closure
- Issues and concerns in the contract administration process
- Sample forms and exercises
- Plus other areas of focus in the current environment

Benefits:

- Learn the steps to properly manage a supply chain contract
- Develop a contract closeout procedure
- Understand the best way to ground a claim
- Uncover the best way to manage through a contract
- Minimize risk throughout the contract
- The steps necessary to follow on closing out a contract

Category: Contract Management

Course Name: Contract Management and Administration

Course Length: 2 days

Instructor: William A. Agee

About this Course:

It does not matter how well a contract is written if the terms and conditions are not properly enforced. The best contract can be useless if not monitored effectively. Therefore, it is important to consider methods and techniques to improve the task of obtaining the benefits of the agreement.

Topics of importance prior to the actual execution of the contract include Pre-Award Considerations of:

- Preparing the proposal
- Planning the contract
- Negotiation skills
- Effective communications

Post-Award topics include:

- Control and monitoring procedures
- Contract claims
- Contract reimbursement
- Proper closing of the contract

Recommended for: purchasers, sales agents, contract administrators, and senior managers over contracts

Objectives:

- Learn the skills and develop the tools to properly manage a contract
- Employing project management to enhance your control of the contractor
- Minimize risk; project, budget, technical, process through more effective control
- Understand how to properly ground your claims
- Develop a checklist to properly close-out a contact

Benefits:

- Make management happy with a value derived contract to the organization
- Abate serious setbacks and road blocks through a pro-active management and control process
- Bring the project in for what the customer required and the organization paid for
- Make the contract management area a strength of your organization
- Have an audit-proof closeout guaranteed to make your management and audit team satisfied

Category: Contract Management

Course Name: The Terms & Conditions of a Contract

Course Length: 2 days

Instructor: William A. Agee

About this Course:

Virtually every professional in the field of purchasing needs to fully understand the consequences of entering into a contract for goods or services. Since a contract can bind a company for not only for an acquisition but several years, clarity and understanding are critical.

Recommended for: all persons connected with the requisition, buy and sell of goods and services. This is a must course for everyone in purchasing and sales.

Objectives:

This course is designed to enable purchasing personnel to become comfortable with reviewing and working on a contract.

To reach this level of competency the course will cover:

- Basic elements of a contract
- Whether it is enforceable
- The type of contract (common law vs. UCC) needed
- Rules about agreements not included in the contract
- When a written contract is required, and
- Review a Buyer's and a Seller's contract terms

Specific contract terms and conditions are examined beginning with the distinction between terms and conditions. Since many terms are unique to the purchase of goods, the terms more commonly used in sales purchase orders and contracts are specifically examined, including concepts such as the Battle of the Forms and the Perfect Tender Rule. Common terms included in almost all contracts are reviewed and explained.