

---

## **Contract and Risk Management, Tendering and Selecting Contractors (ECCM Workshop 1) - Certificate Program**

08 - 12 April 2019  
Kuala Lumpur / Malaysia

### **Introduction:**

This 5-day workshop focuses on practical solutions for today's construction problems. Actual case examples are discussed, explaining contract performance, how to resolve construction disputes, prepare for a litigation case, and the bidding process. The workshop also covers legal issues, from contract formation to the final payment, and is designed to assist construction professionals and their lawyers in day-to-day construction activities. The emphasis is on using the civil law code as the legal framework of the contract.

### **Objectives:**

The aim of this workshop is to enhance the awareness of construction professionals regarding their rights, responsibilities and legal liabilities and the methods of managing risk to achieve their project objectives. The workshop will also give a broad overview of legal problems encountered in the industry. It will provide comprehensive instruction on key issues which contracting authorities and contractors need to focus their attention, from early planning to contract tendering and award, with emphasis on the applicable law.

### **Who Should Attend**

This workshop will benefit contractors, sub-contractors, architects, building design engineers, Project Managers, Architects, Engineers, Construction Managers, Design and Construction Professionals, Civil engineers, employers, developers, suppliers, contract managers, project managers, consultants, specification-writers, government employees, public-sector employees, public institutions, financiers, bankers, lawyers, legal advisors, arbitrators, mediators, insurance agents, buyers of construction, owners, developers, plant managers, real-estate building managers, officials of government agencies responsible for bid calls, interior designers, contract administrators, specification writers, manufacturers, officers of construction associations, officers of project management firms and construction management firms, bond and insurance

providers, as well as related university and technical college lecturers and students.

**Also recommended** to Contractors, Sub-Contractors, Architects, Quantity Surveyors, Financiers, Lawyers, Legal Advisors, Project Managers, Design Consultants, Loss Adjusters, Registered Arbitrators and Insurance Consultants, Senior Management, Project Management, Construction Managers, Site Engineers, Project Control Engineers, Contract Engineers, Planning and Cost Control Engineers

### **Daily Outlines:**

#### **DAY 1:**

Managing Construction Risks – Project Life Cycle, Reviewing the Fundamentals of Project Risk Management, Risk Identification and Classification, Risk Priorities, Risk Allocation, Contractual Risk Allocation, Reducing Risk when Selecting Construction Projects, Contractual Risk Management, Case Study.

#### **DAY 2:**

Legal Aspects of Construction Contracts – The Law of the Contract: Civil Law, Common Law, Administrative Law – Basic Contract Law, Basic Principles: Mandatory and Complementary Rules in Civil Law, Elements of Contracts, Sources of Obligation under Civil Law, Enforceability of Contracts, Principles of Interpretation, Damages, Force Majeure, Unforeseen Conditions, Assignment of Rights, Redemption of Breach, Limitation Period, Warranties, Notice Requirements, Case Study.

#### **DAY 3:**

Parties' Obligations – Types of Relationship with the Employer: Contractor, Agent and Employee, General and Particular Conditions, Obligations of the Parties: Contractor, Designer, Employer, Contract Manager, Role of the Engineer in Construction Contracts, Change Clauses, Time is of the Essence, Case Study.

**DAY 4:**

Preparing Construction Documents – Project Manual Concept, Forms of Agreement, Conditions of Contract, Master, Section and Page Format Overview, Methods of Specification, Specification Writing, Substitutions and Submittals; General Aspects of Tendering, Bidding and Awarding – Ads for Bids, Pre-Qualification, Value Engineering, Constructability Review, The Decision to Bid, Plan Deposit, Bidding Period, Accuracy of the Bidding Information, Addendum, Bid Form, Modifying and Withdrawing Bids, The Award.

**DAY 5:**

Selecting Contracting Strategies and Procurement Methods – Standard Forms, Stipulated Price Contracts, Unit Price Contracts, Cost-Plus-A-Fee Contracts, Design-Build Contracts, Construction Management Contracts, Selecting an Appropriate Form of Procurement to Minimize Disputes, Designing a Dispute Resolution System; Bonding and Insurance Requirements – Award Considerations – Importance of Pre-Award Meeting, Employer-Supplied Materials, Equipment and Services, Bid Bonds, Conclusion.

\*\* In the event of uncontrollable circumstances, we may have to change main lecturer(s) for reasons out of control but replacement will always meet global standards of PROJACS International.

<b><u>Course Fee :</u></b>	US\$ 3,200
----------------------------	------------