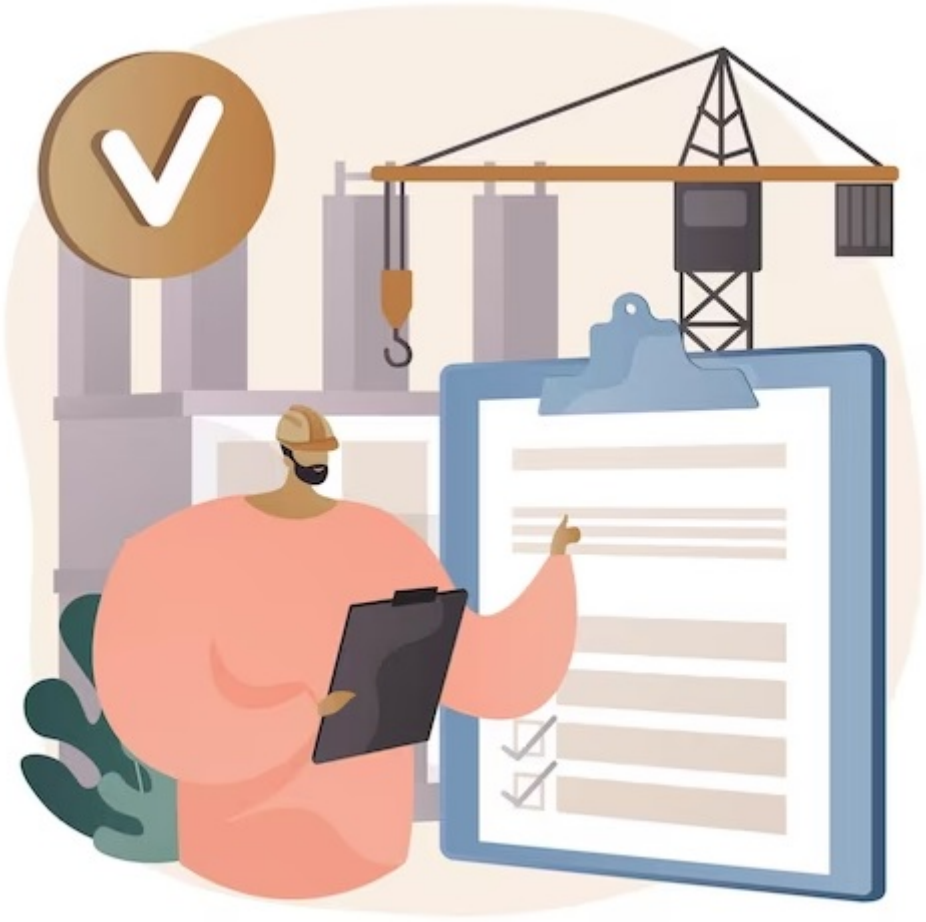


Creating Construction Contracts

Duration: 5 Days

Language: en

Course Code: IND13-103

Objective

Upon completion of this course, participants will be able to:

- Understand the vitality of contracts within construction.
- Assess the potential issues that may arise from a construction contract.
- Evaluate specific clauses and provisions that contribute to contract disagreements.
- Develop a variety of approaches to successfully establishing a construction contract.
- Review why contracts are necessary within the industry.

- Examine how contracts protect each individual party involved.
- Identify what clauses are necessary for a particular contract.
- Describe the various types of contracts within the industry.
- Comprehend how to integrate contracts into conflict resolution.
- Utilise contracts to reduce project completion times, improve quality and profitability.

Audience

This course is designed for anyone within the construction industry responsible for creating contracts or those who work within them and wish to develop their understanding. It would be most beneficial for:

- Project Managers
- Construction Managers
- Project Engineers
- Contractors and Subcontractors
- Procurement Officers
- Finance Managers
- Construction Directors
- Architects
- Engineering Personnel

Training Methodology

This course uses a variety of adult learning styles to aid full understanding and comprehension. Participants will review real-world examples of established construction contracts to highlight included insurance clauses and identify possible areas of dispute. They will participate in various learning exercises to develop their knowledge of the taught content. Combined with presentations, practical demonstrations, discussions and individual activities, participants will be granted ample opportunities to utilise their knowledge and practice their physical skills alongside them. They will be able to receive positive and constructive feedback from their peers and tutors.

Summary

Establishing contracts for all involved parties is important in any industry. This is especially true in the construction industry, as the nature of this work is often highly unpredictable, and disputes can often arise due to varying factors.
Work-related disputes have the potential to greatly impact work productivity and profitability. Establishing secure contracts can help protect the employer, employees, and clients. These contracts often include clauses relating to extension of time, concurrent issues, and force majeure. Including these clauses particularly helps protect the employer, as many of these clauses ensure profit loss is minimised.
Furthermore, if a dispute were to occur from any party, it is crucial for those involved to understand the necessary steps that can be taken to resolve it. In some cases, verbally discussing the dispute and revising the contract is enough. However, in other cases, taking further action is required. Various legal options can be used, and those involved need to be greatly competent at evaluating the situation, negotiating and deciding on the best course of action.

Course Content & Outline

Section 1: Contract Structures

- Understanding the role of contracts for employer, employee and client.
- Evaluating traditional and modern contract structures.
- Assessing whether traditional or modern contract structures would be more beneficial for a project.
- The various types of construction contracts and their advantages and disadvantages.
- What contract best fits a project?
- Contract standardisation and navigating different legal systems.

Section 2: Navigating Issues Within Contracts

- The typical problems of competitive tendering.
- Establishing a standard of work and what to do when that standard is not met.
- Assigning design responsibility.
- Identify where structures, materials, and employees are not fit for the purpose.
- Integrating the relevant insurance and indemnities.

Section 3: Claims and Variations

- Defining the programme of work.
- Analysing scope of work variations and consistently working to remain on-track.
- Understanding when extension of time is necessary and how to approach this with the client, employees and adjusting the contract.
- Assessing situations of concurrent delay and searching for the ideal solution to

minimise productivity impact.
- Establishing a force majeure clause.

Section 4: Liability

- Comprehending the concept of liability.
- The legal influence of liability.
- Identifying copyright in plans.
- Creating liability clauses within a contract.
- Understanding the limitations of liability.
- Liability consequences through liquidated damages and penalties.

Section 5: Resolving Disputes

- The types of disputes that can arise in relation to contracts.
- How to address disputes verbally before enacting contract clauses or provisions.
- Utilising legal methods to settle contract disputes – arbitration, amicable settlement and expert determination.
- Evaluating circumstances where contract termination is the best course of action.

Certificate Description

Upon successful completion of this training course, delegates will be awarded a Holistique Training Certificate of Completion. For those who attend and complete the online training course, a Holistique Training e-Certificate will be provided.

Holistique Training Certificates are accredited by the British Assessment Council (BAC) and The CPD Certification Service (CPD), and are certified under ISO 9001, ISO 21001, and ISO 29993 standards.

CPD credits for this course are granted by our Certificates and will be reflected on the Holistique Training Certificate of Completion. In accordance with the standards of The CPD Certification Service, one CPD credit is awarded per hour of course attendance. A maximum of 50 CPD credits can be claimed for any single course we currently offer.

Categories

Construction & Real Estate, Law, Contracts and Legalities

Tags

contract, dispute, legal, Construction

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