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# **Training Course on Contract & Claims Management**

## **Course Agenda**

**3 - 4 October 2023**

**Ankara, Turkey**

- **Contract Management/ Administration**
  - steps
  - documents and records
  - archiving
- **Claims Management**
  - spotting a case
  - notification
  - details and presentation
- **Disputes Resolution**
  - alternative disputes resolution options
  - steps and procedural aspects
  - preparation of Position/ Response Papers
  - Hearings
  - rebuttals
  - understanding of received decision

## COUR - SE OVERVIEW

<b>General Course Content</b>	<ul style="list-style-type: none"> <li>▪ <b>Conditions of Contracts - Introduction</b></li> <li>▪ <b>Types of Conditions of Contracts</b></li> <li>▪ <b>Contract Administration</b></li> <li>▪ <b>Claims and Disputes</b></li> <li>▪ <b>Case Studies</b></li> </ul>
<b>Duration</b>	2 days
<b>Participants</b>	<ul style="list-style-type: none"> <li>▪ Staff involved in preparing Tender Dossiers for Works, respectively of offers;</li> <li>▪ Staff involved in implementing/ monitoring Works Contracts from both Employers, Engineers and Contractors side;</li> <li>▪ Engineers, architects, lawyers, economists, or anyone involved in construction projects preparation/implementation;</li> <li>▪ Public and private sector project managers;</li> <li>▪ Investors/public bodies from ministries or municipalities;</li> <li>▪ Private entities, developers, contractors and consultants;</li> <li>▪ Organizations working with international financing institutions and investment fund representatives;</li> <li>▪ EU IPA grant beneficiaries.</li> </ul>
<b>Scope/ Objectives</b>	<p>Over the 2 days of general training and 1 day training dedicated to DABs, participants will become familiar with and/or improve their knowledge on:</p> <ul style="list-style-type: none"> <li>▪ Conditions of Contract and how they function;</li> <li>▪ Types of Conditions of Contract;</li> <li>▪ Contractual documents and correlation with the Conditions of Contract;</li> <li>▪ Administration of a Works Contract;</li> <li>▪ Claims management and disputes resolution;</li> <li>▪ Main principles of DAB/ DAAB activity.</li> </ul>
<b>Training Instruments/ Methods</b>	<ul style="list-style-type: none"> <li>▪ Needs assessment through tests;</li> <li>▪ Presentations;</li> <li>▪ Group works with interactive exercises;</li> <li>▪ Questions &amp; Answers sessions;</li> <li>▪ <b>Participant's folder:</b> Contains all materials presented during the course days, printed in a format that allows following oral presentations and notes related to each slide, as well as an easy review of presented topics at a later stage.</li> </ul> <p>In addition, there are inserted exercises and case studies for illustrating presented theoretical information and allow participants a practical usage of these information.</p>
<b>Evaluation methods</b>	<ul style="list-style-type: none"> <li>▪ Evaluation tests for assessing acquired knowledge by the participants;</li> <li>▪ Evaluation questionnaires for assessing the training's effectiveness.</li> </ul>

<p>Lecturers</p>	<p><b>Florin NICULESCU</b></p> <ul style="list-style-type: none"> <li>▪ Civil engineer working as independent consultant in the field of attracting financings and preparing/contracting infrastructure projects, as well as in the field of technical implementation and related contractual aspects;</li> <li>▪ <b>Included on the arbitrators list of the European Court of Arbitration – Romania Chapter</b> <a href="http://www.cour-europe-arbitrage.org/">The European Court of Arbitration - Home Page - European Court of Arbitration (cour-europe-arbitrage.org)</a></li> <li>▪ <b>Included on the arbitrators list of the Arbitral Tribunal of the Romanian-German Chamber of Trade and Industry</b> <a href="http://www.ahkromania.ro/">AHK România Curtea de Arbitraj (ahkrumaenien.ro)</a></li> <li>▪ <b>Nominee on FIDIC President’ List of Approved Adjudicators</b> <a href="http://www.fidic.org/">FIDIC   FIDIC Adjudicator Details   International Federation of Consulting Engineers</a></li> <li>▪ <b>FIDIC Accredited Trainer</b> <a href="http://www.fidic.org/">FIDIC   FIDIC Accredited Trainer Details   International Federation of Consulting Engineers</a></li> <li>▪ <b>Nominee on ARIC (Romania) President’s Disputes Board Members National List</b> <a href="http://www.aric.org.ro/comisia_ro">http://www.aric.org.ro/comisia_ro</a></li> <li>▪ <b>Nominee on UK Adjudicators Dispute Board Panel</b> <a href="http://www.ukadjudicators.co.uk">www.ukadjudicators.co.uk</a></li> <li>▪ Member of Romanian Society for Construction Law <a href="http://www.rscl.ro">www.rscl.ro</a></li> <li>▪ Member of the Disputes Resolution Board Foundation (DRBF) of United States – <b>nominee on DRBF President’s Disputes Board Members List</b> <a href="http://www.drb.org">www.drb.org</a> and of DRBF Chapter for Eastern Europe <a href="http://dabdrb.googlepages.com">http://dabdrb.googlepages.com</a></li> <li>▪ Member of the "Constructions Disputes Resolution Services” International Panel of Construction ADR Specialists” of United States <a href="http://www.constructiondisputes-cdrs.com">www.constructiondisputes-cdrs.com</a></li> <li>▪ Former Member of Disputes Board Federation <a href="http://www.dbfederation.org">www.dbfederation.org</a></li> <li>▪ Former Member of Polish Association of Consulting Engineers (SIDiR) and <b>nominee on SIDiR (Poland) President’s Disputes Board Members National List</b> <a href="http://www.sidir.pl/sidir/index.php?action=czlonkowie&amp;a2=r">http://www.sidir.pl/sidir/index.php?action=czlonkowie&amp;a2=r</a></li> <li>▪ Member of former “AllExperts.com” volunteers pools for “Construction Law” <a href="http://www.allexperts.com/user.cgi?m=4&amp;expID=85358&amp;catID=914">http://www.allexperts.com/user.cgi?m=4&amp;expID=85358&amp;catID=914</a> and “Construction Dispute Resolutions” <a href="http://www.allexperts.com/user.cgi?m=4&amp;expID=129099&amp;catID=4276">http://www.allexperts.com/user.cgi?m=4&amp;expID=129099&amp;catID=4276</a></li> </ul>
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## COURSE AGENDA - Claims Management and Disputes Resolution

<b>Day 1 - Introduction, Contracts and Claims Management</b>					
<b>Session</b>	<b>From</b>	<b>To</b>	<b>Subjects of Session</b>	<b>Key Learning Points</b>	<b>Methodology</b>
1.1	9:00	9:30	<b>Registration of participants, Introduction, Administrative matters, Course objectives</b>	Understanding of course objective	Presentation, questions and answers
1.2	9:30	10:00	<b>Baseline test</b>	Assessment of level of knowledge of participants	Written test
1.3	10:00	10:30	<b>Brief review of types of Conditions of Contract - Basic principles in selecting the appropriate Conditions of Contract</b>	Understand destination of each Book and selection of appropriate Conditions of Contract based on the actual project to be executed	Presentation, questions and answers
1.4	10:30	11:15	<b>Contract Management:</b> - <b>Project Control elements</b> - <b>Records</b> - <b>Correspondence and archiving</b>	Understand the basic aspects of Contract Management that will intervene in Claims Management and Disputes Resolution	Presentation, questions and answers
	11:15	11:45	<i>Coffee break</i>		
1.5	11:45	12:15	<b>Contracts and contractual risks</b>	Understand risks associated to Works Contracts and risks allocation	Presentation, questions and answers
1.6	12:15	12:45	<b>Situations leading to contentious cases - spotting a case</b>	Understand circumstances that may lead to disagreements and identifying a risky/ opportunity situation in time	Presentation, questions and answers
1.7	12:45	13:15	<b>Claims management - Procedural aspects</b>	Understand procedural steps to be observed	Presentation, questions and answers
	13:15	14:30	<i>Lunch break</i>		
1.8	14:30	15:30	<b>Claims management</b> - <b>Claim preparation</b> - <b>Consultations by the Supervisor</b> - <b>Sustaining the case</b>	Understand the main aspects to be observed in claims preparation, opportunity to reach agreement and tips for oral presentations	Presentation, questions and answers

**Day 1 - Introduction, Contracts and Claims Management**

Session	From	To	Subjects of Session	Key Learning Points	Methodology
	15:30	16:00	<i>Coffee break</i>		
<b>1.9</b>	16:00	17:00	<b>Exercises and practical cases</b>	Open discussion on practical examples – preferably brought up by the participants	Individual exercises
<b>1.10</b>	17:00	17:15	<b>Open questions/answers, discussions, conclusions of the day</b>	Review of accumulated knowledge	Open floor

**Day 2 - Disputes resolution**

Session	From	To	Subjects of Session	Key Learning Points	Methodology
2.1	9:30	9:45	<b>Learning review - Day 1</b>	Review of previous day knowledge, further clarification	Collective oral test
2.2	9:45	10:15	<b>Dispute Resolution Boards</b>	Definition of Dispute Resolution Boards – General aspects	Presentation, questions and answers
2.3	10:15	10:45	<b>Functioning and Decision of Dispute Resolution Boards</b>	Understand functioning of Dispute Resolution Boards and role of their decisions	Presentation, questions and answers
	10:45	11:15	<i>Coffee break</i>		
2.4	11:15	11:45	<b>Presentation of Position/ Response Papers and sustaining the case in Hearings</b>	Understand main aspects to be observed in preparation of dispute resolution papers/ reports/ rebuttals and Hearings	
2.5	11:45	12:30	<b>Alternative procedures</b>	Details on alternative procedures in Disputes resolution	Presentation, questions and answers
	12:30	14:00	<i>Lunch break</i>		
2.6	14:00	15:00	<b>Workshop Set 1: discussions on case studies</b>	Application of presented theoretical aspects on study cases	Interactive discussions, questions and answers
	15:00	15:30	<i>Coffee break</i>		
2.7	15:30	16:45	<b>Workshop Set 2: discussions on case studies</b>	Application of presented theoretical aspects on study cases	Interactive discussions, questions and answers
2.8	16:45	17:00	<b>Open questions/answers, discussions, conclusions of the day</b>	Review of accumulated knowledge	Open floor