BLACKBIRD FOR TRAINING

Contract Management & Negotiation Strategy Masterclass

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Brussels (Belgium)

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PARTNER



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Introduction

This Contract Lifecycle Management CLM training course is designed to provide participants with a deep understanding of the three critical stages of contracting: negotiating the deal, drafting robust and practical contract documents, and managing the performance of the contract throughout its lifecycle. Whether you are a business professional, contract manager, or legal expert, this course will equip you with the contract negotiation strategies and tools necessary to structure, negotiate, and manage contracts effectively. You will also explore how contract lifecycle management techniques can be applied in both simple and complex contracting environments to minimize risks and optimize contract outcomes.

The course covers practical insights from various industries, enabling you to expand your perspective and consider contracting from multiple viewpoints. This will not only enhance your understanding but also provide strategies for handling contract disputes and non-performance issues.

Course Objectives

By the end of this course, you will be able to:

- Understand the importance of negotiating the deal before moving into contract documentation.
- Apply essential contract negotiation techniques and strategies to improve your contract outcomes.
- Assess and modify contract clauses effectively using real-world examples.
- Understand how to avoid disputes or successfully manage them using contract lifecycle management tools.
- Recognize the various contract lifecycle management processes, from inception to performance monitoring.
- Learn negotiation strategy and planning for structuring the most effective contracts.
- Improve your skills in identifying and mitigating risks in contracts, thereby enhancing contract performance.



Course Outlines

Day 1: What is the “Deal” Behind the Contract, and How Do You Get There?

- What constitutes a contract: Key ingredients and basic structure of a contract.
- Understanding the context of commercial arrangements.
- Exploring innovative commercial solutions, such as Partnering and BOOT contracts.
- The connection between negotiation strategy and contract drafting.
- Finalizing the deal: Understanding authority to sign and agency principles.
- The formalities to finalize a contract and essential steps for approval.

Day 2: Negotiating and Drafting Contracts

- Core contract negotiation strategy principles and techniques.
- Negotiating in difficult and complex situations: Managing tough negotiations.
- Structuring complex documents: Understanding the hierarchy of contract terms.
- Using and modifying standard contract forms.
- The role of precedents in international contracting.
- Modifying contracts: How to handle contract qualifications and amendments.

Day 3: Drafting Specific Clauses

- Drafting operative provisions and performance obligations in contracts.
- Key provisions: Title, risk, and payment clauses.
- Handling contract variations: Transfer of rights, amendments, and scope changes.
- Termination, suspension, and remedies for default.
- Addressing limitation and exclusion of liability, force majeure, and waiver clauses.
- Law of the contract: dispute resolution and its mechanisms.

Day 4: Effective Contract Management

- Risk assessment and management: Applying CLM tools to assess and manage risk.
- Assigning responsibilities and conducting kick-off meetings to set and manage expectations.
- Dealing with defaults, delays, and disruptions in contract performance.
- Managing contract claims effectively.
- Handling payment issues, including in international trade scenarios.
- Conducting lessons learned sessions for continuous improvement.



Day 5: Dealing with Disputes

- Recognizing potential issues early and handling them proactively.
- Distinguishing between legal rights and commercial outcomes in disputes.
- Negotiation structures for internal dispute resolution.
- External dispute resolution: Exploring litigation and arbitration processes.
- Modern alternatives in dispute resolution: Adjudication, expert determination, and mediation.
- Course recap and final question session.

Why Attend This Course: Wins & Losses!

- Master Contract Lifecycle Management CLM: Learn how to manage contracts from inception to completion, enhancing your organization's efficiency in managing contracts at every stage.
- Enhance Negotiation Skills: Develop a deep understanding of contract negotiation strategies that can be applied in real-world situations to close better deals and manage contracts more effectively.
- Achieve Certification in Contract Management: This course offers practical training that can help you gain contract lifecycle management certification, showcasing your ability to handle complex contracts and manage contract performance.
- Boost Your Career with Practical Knowledge: By attending this course, you will acquire the skills necessary for successful contract administration, a crucial competence in many industries.
- Minimize Risks and Disputes: Learn how to structure contracts to avoid disputes and handle them effectively when they arise. Apply contract management techniques to mitigate risks throughout the contract lifecycle.
- Gain Cross-Industry Insights: Explore contract management best practices from a variety of industries, offering new perspectives and strategies that you can apply to your work.

Conclusion

Whether you're dealing with high-stakes commercial contracts or complex international contracting scenarios, this Contract Lifecycle Management course will equip you with the tools and strategies to negotiate, draft, and manage contracts effectively. By focusing on both the technical aspects of contract administration and the interpersonal skills of negotiation, this course will prepare you to manage contracts with confidence, minimize risks, and resolve disputes efficiently. Investing in contract management training not only enhances your skill set but also elevates your ability to handle complex contracts and ensure the success of your projects.

