

Skills2Succeed in Collaboration with **Global Educational & Consulting Services**

PRESENTS

**CONSTRUCTION CONTRACTING
A PRACTICAL AND LEGAL PERSPECTIVES**

OBJECTIVE:

To provide a forum where contractors, owners, consulting engineers can understand the practical and legal basis of contracting from each other's perspective for the general benefit of the construction industry.

DESCRIPTION:

There is an increasing awareness of the need to operate and control construction contracts (big or small) more efficiently, as promoters of such projects become more knowledgeable and demanding. An understanding of the contract clauses underlying the project is a widely publicized requirement for the successful project manager. Owners, consultants and contractors are all involved.

Weakness in contract control generally stems from the absence of foolproof procedures and poor communication. This seminar aims to show how (a) how these deficiencies can be overcome, (b) the obligations of each participant in these activities, (c) how the disputes (practical and legal issues) related to construction contracts, both on public and private projects can be addressed and focuses on developing skills for making a balanced and fair interpretation.

HOW YOU WILL BENEFIT:

- ◆ **Learn** how to interpret clauses, and analyze in the contracts, and get the project completed on time and within budget.
- ◆ **Develop** the ability and confidence to take control over contract administration in your organization and have a real impact on your bottom line.
- ◆ **Discover** how to optimize contract performance and results in today's tough, competitive environment.
- ◆ **Create** win-win situations and develop workable plans, and translate them into expedient action.
- ◆ **Enhance** your knowledge of the contract management techniques including contract legality, constructability and the settlements of claims.
- ◆ **Improve** your skills in dealing with changes.

WHO SHOULD ATTEND:

Contractors, engineers, owners, field administrators, project managers, consulting engineers, construction inspectors, government agencies. This seminar will also be of interest to anyone seeking a better understanding of some of the most popular tools used in contracting world today.

COURSE MATERIAL:

Each participant will receive a complete set of course notes and handouts that will serve as informative references.

COURSE OUTLINE:

- ◆ **Introduction**
- ◆ **What is a Contract?**
 - Definition
 - Competent Parties
 - Subject Matter
 - Consideration
 - Genuine Consent
 - Classification of Contracts
- ◆ **The Contracting Process**
 - Requirement Cycle
 - Requisition Cycle
 - Solicitation Cycle
 - Award Cycle
 - Contractual Cycle
- ◆ **What should be in Contract Document?**
 - Form and Purpose of Contract Document
 - Conditions of Contract
 - General Obligations
 - Workmanship and Materials
 - Commencement Time and Delays
 - Alternations, Additions and Omissions
 - Sub-Contracts
 - Certificate of Substantial Completion and Payment
- ◆ **Special Consideration for Contract Execution**
 - Introduction
 - Changes
 - Legal Perspective: Changes
 - Contract Specifications
 - Legal Perspective: Specifications
 - Quality Control
 - Legal Perspective: Warranties

◆ Workshop

Participants will meet in small groups over lunch to discuss and suggest the "minimum cost and fair" solution to the case study problem. A representative from each group will present the solutions to all participants. A discussion will follow.

◆ Communication - Role?

- Methods/Importance
- Communication between Parties to the Contract
- Site Documents and Records
- Purpose and conduct of Meetings

◆ Settlement of Claim

- Types of Claims
- Procedural Aspects
- Preparation of Claims
- Additional Cost for Loss or Expense
- Disruption of the Works resulting from Change Orders
- Liquidated Damages

SEMINAR LEADER:

Rishi Kumar, P.Eng., CQA, PMP was Vice President of Engineering, Procurement & Construction (EPC) division at Global Technologies and Manufacturing (GTM) and led major international infrastructure projects (railway, airport, luxury hotel developments, etc.) in various parts of Africa. Before joining GTM, Mr. Kumar served as a Director of Operations responsible for production, procurement, quality and logistics of AZZ-Blenkhorn and Sawle Ltd. plant located in St. Catharines. He successfully implemented lean-manufacturing and just-in-time concepts at this plant. Mr. Kumar obtained his Master of Science in Mechanical Engineering from University of Calgary. Since 1976, he has held many senior positions in utility, auto industry, research & development, service and consulting sectors in program and portfolio management of various capital projects. He has authored and co-authored technical papers on variety of topics and has presented at numerous national and international conferences. Since 1996 Mr. Kumar has conducted numerous professional development courses, seminars and workshops for various universities and professional organizations throughout Canada, USA, Europe and Central America.

Mr. Kumar is a certified Quality Auditor (internal and lead) and carried out several quality systems (technical, manufacturing and process) audits for ISO 9001 internationally. Mr. Kumar is an active participant in various professional boards and committees (PEO, PMP) since 1995 and also provides mentorship through various non-profit organizations in Ontario since 1994.

CONTINUING EDUCATION UNITS (CEUs):

Each participant will receive a certificate of course completion indicating 0.7 CEUs. CEUs are universally recognized nationally and internationally. One CEU is equivalent to ten (10) professional development hours (PDHs).

LOCATION:**Delta Toronto Airport West Hotel**

5444 Dixie Road,
Mississauga, Ontario
L4W 2L2

DATES AND TIMES:

This same course is offered on two different dates.

- a) It is offered on Thursday, February 18, 2010, from 9:00 a.m. to 5:00 p.m. When registering for this date, please use Course Code ITJB007.

- b) For those who cannot attend this during regular weekday hours, this course is offered on Saturday, February 13, 2010, from 9:00 a.m. to 5:00 p.m. When registering for this date, please use Course Code ITJB004.

Other:

Dress business casual and comfortably.

For an effective and productive interaction to take place, this seminar has been restricted to a limited number of seats. Please register early to avoid any disappointment.

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Note: Skills2Succeed reserves the right to cancel a course, workshop or seminar, or change the location of the course, workshop or seminar at any time at its discretion, without any liability to the attendees exceeding the fees collected.