

# GULF INSTITUTE



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# Managing & Negotiating

## INTRODUCTION

- This Managing & Negotiating with Consultants & Contractors training course aims at equipping the hiring (line) managers, procurement, and recruiters to maximize the return on investment in the “recruit to contract termination” process of external consultants and contractors for the hiring organizations. Organizations want to enjoy the flexibility of a contractor’s workforce instead of internal staff, but would there be conflicts when contractors and internal staff have to work together? How to ensure seamless team effort among contractors and internal staff?
- The trend of outsourcing and the continuous interest of shareholders to want organizations to have fewer and fewer headcounts and governments should become smaller and smaller; the importance and popularity of external consultants and contractors keep increasing. How to identify and attract the best contractors / consultants? How to accelerate the onboarding time for contractors / consultants? How to retain them? How to get the most out of them within a flexible contract period? It is quite similar to the case with internal employees, yet there is a significant difference too.

### This training course will highlight:

- Define “Statements of Work” or Terms of Reference (TOR) as part of tender document
- Market intelligence and benchmarking for different types of consultants and contractors
- A complete tender document with key contractual clauses
- Negotiations with consultants / contractors before and after contract award
- Application of different payment structure for different scenarios
- Develop practical Service Level Agreement (SLA)
- Contract Performance Management

## OBJECTIVES

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

- Evaluate Bids and Proposals to select the best-fit contractor & consultants
- Prepare and understand Key Clauses in Contract Documents
- Apply different payment structures
- Negotiate as a principled negotiator
- Manage the boost the performance of consultants & contractors

## **TRAINING METHODOLOGY**

- Leveraging world best practice proven in the real business, this Managing & Negotiating with Consultants & Contractors training course will be delivered by a recognized Contracts & Procurement Professional who has been involved in delivering complex projects around the world. Exercises, role plays built on a carefully designed case study will maximize hands-on practice matched.

## **ORGANISATIONAL IMPACT**

Impact on the organisation in attending this Managing & Negotiating with Consultants & Contractors training course is profound, including:

- Higher return on investment from external consultants & contractors
- More sustainable performance from consultants & contractors
- Reduced Risk to the organization from potential liabilities
- Higher productivity from personnel contracting for services
- Improved control over on-time and on-budget delivery
- The higher success rate of selecting the right contractors or consultants

## **PERSONAL IMPACT**

- Increased skill sets in the management and selection of consultants & contractors
- A greater sense of Professionalism
- Knowledge of World-Class practices
- More exceptional ability to negotiate and manage contracts
- Increased recognition by the organization because of improved performance
- Ability to control project progress and delivery against the baseline

## **WHO SHOULD ATTEND?**

- This Managing & Negotiating with Consultants & Contractors training course is a great way to develop those new to the function or to prepare for a significant project or use as a refresher for veteran Contracts & Procurement Professionals.

This training course is a suitably wide range of professionals but will significantly benefit:

- Engineering Project Professionals
- Project Management Professionals
- Construction Professionals
- Contract Professionals
- Buyers Professionals
- Purchasing Professionals
- Financial Personnel in organizations whose leadership wants advanced skills sets for those involved in major contracting and subcontracting activities

## Course Outline

### Establishing the Need for External Advice

- Understand, Identify and Defining the Business Need
- Prepare a Cost-Benefit Analysis
- Defining the Statement of Work or Terms of Reference (TOR)
- Leading EPC Contractors with a Global Presence
- Market Rates of Technical Contractors and Management Consultants

### Preparing for the Tendering

- Conduct Sourcing Analysis
- Develop a Contracting Strategy
- Prepare a Tender Document
- Establish Service Level Agreements
- Conduct Tender Briefing

### The Bidding and Bid Evaluation Processes

- The Competitive Tendering Process
- Pre-qualification
- Proposal and Bid Evaluation
- Contract Pricing & Price Adjustments
- Cost Analysis of Proposals and Bids
- Tender Clarification

## Contract Development and Negotiation

- Understanding the Concept and Principle of Contract Law
- Model Contract Formats – Specific for Consults and Contractors
- Important Contract Terms to be Included
- Pre-negotiation Process
- Negotiating the Contract Terms – Finance Considerations, Progress Reporting and Payment
- Confidentiality, IPR, Insurance and Warranties

## Contract Award and Performance Evaluation

- Awarding of Contract
- Monitoring Progress and Performance
- Tracking Progress in Achieving Consultancy Savings
- Managing Risks and Change Control
- Contract Administration
- Evaluating and Learning from Engagements

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