Training Course on Construction Contracts and Dispute Resolution

Professional Development Training Course Outline

Category	Construction Institute	**Duration**	5 Days
Base Fee	$1,500 USD	**Delivery Mode**	Online / On-site Hybrid

Course Introduction

Navigating the intricate landscape of **construction contracts** demands a robust understanding of legal frameworks, risk allocation, and effective management strategies. This comprehensive training course delves into the lifecycle of construction agreements, equipping participants with the essential knowledge and practical skills to draft, interpret, and administer contracts effectively. Furthermore, it addresses the critical area of **dispute resolution**, providing insights into negotiation, mediation, arbitration, and litigation, empowering professionals to mitigate conflicts and achieve favorable outcomes. Mastering these domains is crucial for minimizing financial exposure, ensuring project success, and fostering collaborative relationships within the construction industry.

Training Course on Construction Contracts and Dispute Resolution is meticulously designed to empower individuals and organizations with a profound understanding of **contractual obligations**, **risk management**, and **dispute avoidance**. Participants will gain practical insights into various contract types, the nuances of claims management, and the application of effective dispute resolution techniques. By focusing on real-world case studies and interactive learning methodologies, this course ensures immediate applicability of learned skills, fostering a culture of proactive problem-solving and informed decision-making within construction projects.

Programme Curriculum

Training Course on Construction Contracts and Dispute Resolution

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Course Duration

5 days

Course Objectives

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

1. **Analyze contract documents** to identify key terms, conditions, and obligations.
2. Apply principles of **contract law** relevant to the construction industry.
3. Implement effective **risk allocation strategies** in construction projects.
4. Master the process of **contract administration** throughout the project lifecycle.
5. Understand various methods of **dispute avoidance** and early resolution.
6. Develop skills in **negotiation and mediation** for construction disputes.
7. Gain insights into the principles and procedures of **construction arbitration**.
8. Comprehend the fundamentals of **construction litigation** and its alternatives.
9. Effectively manage **claims and variations** in construction contracts.
10. Interpret and apply **force majeure** and frustration clauses.
11. Understand the role of **performance bonds and guarantees** in construction.
12. Navigate **international construction contracts** and their specific considerations.
13. Utilize **digital tools and technologies** for contract management and dispute resolution.

Organizational Benefits

Organizations that invest in this training will experience several key benefits:

- Enhanced understanding of contract terms and dispute resolution minimizes costly legal battles and financial losses.
- Effective contract administration and proactive dispute management lead to smoother project execution and reduced delays.
- A shared understanding of contractual obligations fosters better communication and collaboration among project stakeholders.
- Equipping staff with negotiation and dispute resolution skills strengthens the organization's position in contractual dealings.
- Comprehensive knowledge of contract law ensures adherence to legal requirements and reduces the risk of non-compliance.
- Trained personnel can effectively manage and resolve claims, protecting the organization's interests.
- Investing in employee development demonstrates commitment and attracts and retains skilled professionals.

- Successful project delivery and effective dispute resolution contribute to a positive organizational reputation.

Target Audience

1. Project Managers
2. Contract Administrators
3. Quantity Surveyors
4. Construction Lawyers
5. Engineers
6. Architects
7. Commercial Managers
8. Dispute Resolution Professionals

Course Outline

Module 1: Fundamentals of Construction Contracts

- Introduction to Contract Law and its Relevance to Construction
- Types of Construction Contracts: Lump Sum, Unit Price, Cost-Plus
- Key Elements of a Valid Contract: Offer, Acceptance, Consideration, Intention
- Understanding Contractual Terms and Conditions: Express and Implied
- Case Study: Analysis of a landmark case defining contractual obligations in a construction project.

Module 2: Contract Drafting and Negotiation

- Principles of Effective Contract Drafting: Clarity, Completeness, Consistency
- Identifying and Allocating Risks through Contract Clauses
- Negotiation Strategies and Techniques in Construction Agreements
- The Role of Standard Form Contracts (e.g., FIDIC, JCT)
- Case Study: A practical exercise in drafting and negotiating key clauses for a construction contract.

Module 3: Contract Administration and Management

- Managing Contractual Correspondence and Documentation
- Procedures for Variations, Extensions of Time, and Payment Certificates
- Performance Monitoring and Control in Construction Contracts
- Dealing with Subcontractors and Suppliers: Contractual Considerations
- Case Study: Examining a real-world scenario of managing variations and their impact on project timelines and costs.

Module 4: Claims Management in Construction

- Identifying and Documenting Potential Claims
- Procedures for Submitting and Responding to Claims
- Evaluating the Merits and Quantum of Claims
- Negotiating Settlements and Avoiding Formal Disputes
- Case Study: Analysis of a complex construction claim and the strategies employed for its resolution.

Module 5: Dispute Avoidance and Early Resolution

- Implementing Proactive Dispute Avoidance Strategies
- Effective Communication and Stakeholder Management
- Utilizing Partnering and Collaborative Contracting Models
- Early Neutral Evaluation and Dispute Review Boards
- Case Study: An example of successful dispute avoidance through proactive communication and early intervention.

Module 6: Mediation and Negotiation in Construction Disputes

- Principles and Processes of Mediation
- Developing Effective Negotiation Skills for Dispute Resolution
- The Role of the Mediator and the Parties
- Reaching Mutually Acceptable Settlements
- Case Study: A simulated mediation session for a construction dispute.

Module 7: Arbitration of Construction Disputes

- Understanding the Principles and Procedures of Arbitration
- Selecting Arbitrators and the Arbitration Agreement
- Preparing for and Participating in Arbitration Hearings
- Enforcement of Arbitral Awards
- Case Study: Analysis of a significant construction arbitration case and its outcome.

Module 8: Construction Litigation and Alternative Dispute Resolution

- Overview of Litigation Processes in Construction Disputes
- Advantages and Disadvantages of Litigation Compared to ADR
- Understanding Different Forms of Alternative Dispute Resolution (ADR)
- Selecting the Appropriate Dispute Resolution Method
- Case Study: A review of a notable construction litigation case and the lessons learned.

Training Methodology

This course employs a participatory and hands-on approach to ensure practical learning, including:

- Interactive lectures and presentations.
- Group discussions and brainstorming sessions.
- Hands-on exercises using real-world datasets.
- Role-playing and scenario-based simulations.
- Analysis of case studies to bridge theory and practice.
- Peer-to-peer learning and networking.
- Expert-led Q&A sessions.
- Continuous feedback and personalized guidance.

Register as a group from 3 participants for a Discount

Send us an email: info@fineskilltrainingcenter.org or call *+254769199797*

Certification

Upon successful completion of this training, participants will be issued with a globally- recognized certificate.

Tailor-Made Course

We also offer tailor-made courses based on your needs.

Key Notes

a. The participant must be conversant with English.

b. Upon completion of training the participant will be issued with an Authorized Training Certificate

c. Course duration is flexible and the contents can be modified to fit any number of days.

d. The course fee includes facilitation training materials, 2 coffee breaks, buffet lunch and A Certificate upon successful completion of Training.

e. One-year post-training support Consultation and Coaching provided after the course.

f. Payment should be done at least a week before commence of the training, to Fineskill Training Center account, as indicated in the invoice so as to enable us prepare better for you.

Upcoming Scheduled Sessions

Start Date	End Date	Location	Price
23 Nov 2026	27 Nov 2026	Online	$1,000
23 Nov 2026	27 Nov 2026	Physical	$1,500
23 Nov 2026	27 Nov 2026	Physical	$3,000
23 Nov 2026	27 Nov 2026	Physical	$3,000
23 Nov 2026	27 Nov 2026	Physical	$6,000
23 Nov 2026	27 Nov 2026	Physical	$4,500
23 Nov 2026	27 Nov 2026	Physical	$6,000
23 Nov 2026	27 Nov 2026	Physical	$6,000

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