Training course on Construction Law and Contract Administration

Professional Development Training Course Outline

Category	Real Estate Institute	**Duration**	10 Days
Base Fee	$3,000 USD	**Delivery Mode**	Online / On-site Hybrid

Course Introduction

Construction Law and Contract Administration is a critical and highly specialized discipline essential for ensuring the smooth, compliant, and financially sound execution of any construction project. It involves a deep understanding of the legal principles governing construction activities, coupled with the practical skills required to manage contracts effectively from initiation to close-out. In an industry characterized by complex projects, numerous stakeholders, inherent risks, and tight margins, mastery of legal frameworks and robust contract administration is paramount. For developers, contractors, project managers, legal professionals, and consultants, a profound command of these areas is indispensable for protecting interests, mitigating disputes, managing liabilities, ensuring performance, and ultimately achieving project success. Failure to adequately understand construction law or to administer contracts effectively can lead to costly litigation, significant delays, financial losses, scope creep, and damaged relationships. Training Course on Construction Law and Contract Administration is meticulously designed to equip with the advanced theoretical insights and intensive practical tools necessary to excel in Construction Law and Contract Administration. We will delve into sophisticated methodologies for interpreting diverse contract documents and legal principles, master the intricacies of drafting robust contracts and managing their full lifecycle, and explore cutting-edge approaches to proactive risk mitigation, effective claims management, and strategic dispute resolution. A significant focus will be placed on understanding different contract types, roles and responsibilities, legal liabilities, performance monitoring, and the impact of various project delivery methods. By integrating industry best practices, analyzing real-world complex construction law case studies, and engaging in hands-on contract drafting exercises, claims analysis, and negotiation simulations, attendees will develop the strategic acumen to confidently navigate the legal and contractual landscape of construction, fostering unparalleled compliance, efficiency, and risk reduction, and securing their position as indispensable assets in the forefront of legally sound and successfully executed construction projects.

Programme Curriculum

Training Course on Construction Law and Contract Administration

Introduction

Construction Law and Contract Administration is a critical and highly specialized discipline essential for ensuring the smooth, compliant, and financially sound execution of any construction project. It involves a deep understanding of the legal principles governing construction activities, coupled with the practical skills required to manage contracts effectively from initiation to close-out. In an industry characterized by complex projects, numerous stakeholders, inherent risks, and tight margins, mastery of legal frameworks and robust contract administration is paramount. For developers, contractors, project managers, legal professionals, and consultants, a profound command of these areas is indispensable for protecting interests, mitigating disputes, managing liabilities, ensuring performance, and ultimately achieving project success. Failure to adequately understand construction law or to administer contracts effectively can lead to costly litigation, significant delays, financial losses, scope creep, and damaged relationships.

Training Course on Construction Law and Contract Administration is meticulously designed to equip with the advanced theoretical insights and intensive practical tools necessary to excel in **Construction Law and Contract Administration**. We will delve into sophisticated methodologies for **interpreting diverse contract documents and legal principles**, master the intricacies of **drafting robust contracts and managing their full lifecycle**, and explore cutting-edge approaches to **proactive risk mitigation, effective claims management, and strategic dispute resolution**. A significant focus will be placed on understanding different contract types, roles and responsibilities, legal liabilities, performance monitoring, and the impact of various project delivery methods. By integrating industry best practices, analyzing real-world complex construction law case studies, and engaging in hands-on contract drafting exercises, claims analysis, and negotiation simulations, attendees will develop the strategic acumen to confidently navigate the legal and contractual landscape of construction, fostering unparalleled **compliance, efficiency, and risk reduction**, and securing their position as indispensable assets in the forefront of **legally sound and successfully executed construction projects**.

Course Objectives

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

1. Analyze the fundamental principles and sources of **construction law**.
2. Differentiate and apply various **construction contract types** and their implications.
3. Comprehend the **roles, responsibilities, and liabilities** of key project stakeholders.
4. Master techniques for **drafting, reviewing, and negotiating** robust construction contracts.
5. Implement effective strategies for **contract administration** throughout the project lifecycle.
6. Understand and manage **changes, variations, and scope creep** through formal contract mechanisms.
7. Formulate strategies for proactive **risk identification, assessment, and allocation** in contracts.
8. Apply best practices for **claims management and dispute resolution** in construction.
9. Navigate the legal aspects of **project delays, acceleration, and liquidated damages**.
10. Understand the legal requirements and best practices for **procurement and tendering**.
11. Explore the legal implications of **sustainability, technology, and health & safety** in construction.
12. Develop comprehensive knowledge of **project close-out, warranties, and post-completion obligations**.
13. Position themselves as proficient professionals capable of minimizing legal risks and optimizing project outcomes through effective contract management.

Target Audience

This course is designed for professionals who deal with legal and contractual aspects of construction:

1. **Construction Project Managers:** Responsible for overall project execution and contract adherence.
2. **Contract Administrators:** Managing the day-to-day contractual obligations.
3. **Real Estate Developers:** Understanding contractual risks and developer liabilities.
4. **Contractors & Subcontractors:** Protecting their interests and managing obligations.
5. **Legal Professionals:** Specializing in construction and contract law.
6. **Quantity Surveyors & Cost Managers:** Managing contractual aspects of costs and payments.
7. **Procurement Specialists:** Drafting and managing tender and contract documents.
8. **Engineers & Architects:** Understanding their professional duties and contractual interfaces.

Course Duration: 10 Days

Course Modules

Module 1: Foundations of Construction Law

- Introduction to the sources of construction law: common law, statutes, regulations.
- Key legal principles: contract law fundamentals, tort law, agency, professional negligence.
- Legal duties and responsibilities of parties in construction projects.
- Understanding jurisdiction and applicable law in construction contracts.
- Overview of relevant international construction laws and conventions (e.g., UNCITRAL Model Law).

Module 2: Construction Contract Types & Selection

- In-depth analysis of various contract types: Lump Sum/Fixed Price, Cost-Plus, Unit Price, Guaranteed Maximum Price (GMP).
- Design-Bid-Build, Design-Build, Construction Management (CM-at-Risk, Agency CM), Integrated Project Delivery (IPD).
- Understanding the allocation of risk and responsibility in different contract models.
- Choosing the appropriate contract type for specific project characteristics and risk profiles.
- Standard form contracts: FIDIC, JCT, AIA, NEC, and their key provisions.

Module 3: Contract Formation, Interpretation & Negotiation

- Legal requirements for a valid construction contract: offer, acceptance, consideration, intent.
- Importance of clear and unambiguous contract drafting.
- Principles of contract interpretation: literal rule, golden rule, mischief rule.
- Strategies for effective contract negotiation: identifying key terms, leverage points, dispute avoidance.
- Reviewing and redlining contract documents: practical exercises.

Module 4: Roles, Responsibilities & Liabilities of Project Parties

- Detailed examination of the roles and responsibilities of the Owner, Contractor, Subcontractors, Architect, and Engineer.
- Professional liability and standard of care for design and construction professionals.
- Understanding vicarious liability and joint and several liability.
- Insurance requirements: professional indemnity, general liability, builder's risk.
- Ethical considerations and professional conduct in construction.

Module 5: Project Delays, Disruptions & Acceleration

- Legal definitions of project delays: excusable, non-excusable, compensable, concurrent.

- Analyzing the causes and impacts of delays and disruptions.
- Contractual provisions for extensions of time (EOT) and delay damages.
- Legal implications of acceleration directives and constructive acceleration.
- Documentation requirements for proving or defending delay claims.

Module 6: Changes, Variations & Scope Management

- Understanding change order clauses and the process for formalizing changes.
- Differentiating between changes, variations, and constructive changes.
- Pricing change orders: methods and common disputes.
- Strategies for preventing and managing scope creep.
- The legal implications of oral instructions and waiving contractual requirements.

Module 7: Payments, Liens & Performance Bonds

- Contractual payment terms: progress payments, milestones, retention/retention release.
- Understanding mechanic's liens, stop notices, and bond claims.
- Legal aspects of payment disputes and non-payment.
- Types of performance security: performance bonds, payment bonds, letters of credit.
- Default and termination clauses: legal rights and remedies.

Module 8: Risk Management & Allocation in Contracts

- Identifying and assessing key construction risks: site conditions, design errors, force majeure, financing, regulatory.
- Principles of optimal risk allocation in contracts: assigning risks to the party best able to manage them.
- Drafting risk-shifting provisions: indemnification, exculpatory clauses, limitations of liability.
- Understanding the legal implications of differing site conditions and unforeseen events.
- The role of insurance in transferring and mitigating risks.

Module 9: Claims Management & Dispute Resolution

- Lifecycle of a construction claim: identification, notification, submission, substantiation.
- Types of common construction claims: delay, disruption, extra work, defects.
- Contractual requirements for dispute notification and escalation.
- Alternative Dispute Resolution (ADR) methods: negotiation, mediation, dispute boards, arbitration.
- Litigation in construction: discovery, expert witnesses, trial processes.

Module 10: Procurement Law & Tendering

- Legal principles governing procurement processes: fairness, transparency, competition.
- Types of tendering: open, selective, negotiated.
- Legal aspects of tender documents: invitations to tender, instructions to bidders, contract forms.
- Bid mistakes, bid shopping, and bid rigging: legal implications.
- Formation of contracts through the tendering process.

Module 11: Legal Aspects of Sustainability, Technology & Health & Safety

- Environmental regulations and their contractual implications (e.g., green building requirements, hazardous waste).
- Building Information Modeling (BIM) and digital contracts: legal ownership of data, intellectual property, liability.
- Cybersecurity risks in interconnected construction environments.

- Health and Safety (H&S) regulations and their impact on contractual obligations and liability.
- The legal framework for smart buildings and PropTech integration.

Module 12: Project Close-out, Warranties & Post-Completion

- Legal requirements for project completion and substantial completion.
- Understanding warranties, guarantees, and latent defects liability.
- Final payment and release of retention.
- Dispute resolution for post-completion issues.
- Documentation and record-keeping for future claims or operational issues.

Training Methodology

- **Interactive Workshops:** Facilitated discussions, group exercises, and problem-solving activities.
- **Case Studies:** Real-world examples to illustrate successful community-based surveillance practices.
- **Role-Playing and Simulations:** Practice engaging communities in surveillance activities.
- **Expert Presentations:** Insights from experienced public health professionals and community leaders.
- **Group Projects:** Collaborative development of community surveillance plans.
- **Action Planning:** Development of personalized action plans for implementing community-based surveillance.
- **Digital Tools and Resources:** Utilization of online platforms for collaboration and learning.
- **Peer-to-Peer Learning:** Sharing experiences and insights on community engagement.
- **Post-Training Support:** Access to online forums, mentorship, and continued learning resources.

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

- Participants must be conversant in English.
- Upon completion of training, participants will receive an Authorized Training Certificate.
- The course duration is flexible and can be modified to fit any number of days.
- Course fee includes facilitation, training materials, 2 coffee breaks, buffet lunch, and a Certificate upon successful completion.
- Upcoming Scheduled Sessions

Start Date	End Date	Location	Price
23 Nov 2026	04 Dec 2026	Online	$2,000
23 Nov 2026	04 Dec 2026	Physical	$3,000

Start Date	End Date	Location	Price
23 Nov 2026	04 Dec 2026	Physical	$6,000
23 Nov 2026	04 Dec 2026	Physical	$6,000
23 Nov 2026	04 Dec 2026	Physical	$12,000
23 Nov 2026	04 Dec 2026	Physical	$9,000
23 Nov 2026	04 Dec 2026	Physical	$12,000
23 Nov 2026	04 Dec 2026	Physical	$12,000

Ready to enroll or request a customized program? Book online or contact us:

Register Online Now

Email: info@fineskilltrainingcenter.com | Website: www.fineskilltrainingcenter.com