Training Course on Public Contract Dispute Resolution

Professional Development Training Course Outline

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

Course Introduction

Navigating the complexities of **public procurement** often leads to disagreements and **contract disputes**. Effective **dispute resolution mechanisms** are crucial for maintaining the integrity of **government contracts**, ensuring project continuity, and fostering trust between public entities and private sector partners. Training Course on Public Contract Dispute Resolution provides participants with a thorough understanding of the legal frameworks, negotiation strategies, and alternative dispute resolution (ADR) techniques essential for efficiently and effectively resolving conflicts arising from **public sector contracts**. By mastering these skills, professionals can mitigate risks, reduce litigation costs, and contribute to more transparent and accountable **public administration**.

This program delves into the intricacies of **contract law** as it applies to the public sector, exploring common causes of disputes and the various methods available for their resolution. Participants will gain practical insights into negotiation, mediation, arbitration, and other ADR processes, equipping them with the tools to navigate complex situations and achieve favorable outcomes. Emphasis will be placed on understanding the specific nuances of **public finance**, regulatory compliance, and the unique challenges inherent in resolving disagreements involving **government agencies** and **public funds**. Ultimately, this course aims to cultivate skilled professionals capable of fostering collaborative solutions and upholding the principles of fairness and efficiency in **public contracting**.

Programme Curriculum

Training Course on Public Contract Dispute Resolution

Introduction

Navigating the complexities of **public procurement** often leads to disagreements and **contract disputes**. Effective **dispute resolution mechanisms** are crucial for maintaining the integrity of **government contracts**, ensuring project continuity, and fostering trust between public entities and private sector partners. Training Course on Public Contract Dispute Resolution provides participants with a thorough understanding of the legal frameworks, negotiation strategies, and alternative dispute resolution (ADR) techniques essential for efficiently and effectively resolving conflicts arising from **public sector contracts**. By mastering these skills, professionals can mitigate risks, reduce litigation costs, and contribute to more transparent and accountable **public administration**.

This program delves into the intricacies of **contract law** as it applies to the public sector, exploring common causes of disputes and the various methods available for their resolution. Participants will gain practical insights into negotiation, mediation, arbitration, and other ADR processes, equipping them with the tools to navigate complex situations and achieve favorable outcomes. Emphasis will be placed on understanding the specific nuances of **public finance**, regulatory compliance, and the unique challenges inherent in resolving disagreements involving **government agencies** and **public funds**. Ultimately, this course aims to cultivate skilled professionals capable of fostering collaborative solutions and upholding the principles of fairness and efficiency in **public contracting**.

Course Outline

5 days

Course Objectives

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

1. Understand the legal and regulatory framework governing **public contract law** and dispute resolution.
2. Identify common sources of **contractual disputes** in public procurement processes.
3. Analyze and interpret key clauses within **government contracts** relevant to dispute resolution.
4. Apply effective **negotiation techniques** to resolve conflicts in public sector agreements.
5. Understand the principles and processes of **mediation** in public contract disputes.
6. Evaluate the role and procedures of **arbitration** as an ADR method in the public sector.
7. Explore other **alternative dispute resolution (ADR)** mechanisms suitable for public contracts.
8. Develop strategies for preventing and managing **contract claims** in public projects.
9. Understand the principles of **dispute avoidance** in public procurement.
10. Navigate the complexities of **public finance regulations** in dispute resolution.
11. Apply best practices in **stakeholder management** during dispute resolution processes.
12. Understand the ethical considerations in resolving **public sector disputes**.
13. Develop effective communication and documentation skills for **dispute management**.

Organizational Benefits

- Equipping staff with effective dispute resolution skills can minimize the need for costly and time-consuming legal proceedings.
- Prompt and efficient resolution of disputes ensures projects stay on track and within budget.
- Collaborative dispute resolution fosters better relationships with contractors and other stakeholders.

- Clear dispute resolution processes contribute to more transparent and accountable public administration.
- Understanding and managing contract claims effectively reduces potential financial losses.
- Proactive dispute avoidance and management improve overall contract administration.
- Streamlined dispute resolution leads to a more efficient procurement process.
- Demonstrating a commitment to fair and effective dispute resolution enhances the organization's reputation.

Target Audience

1. Procurement Officers and Specialists in government agencies.
2. Contract Managers and Administrators in the public sector.
3. Legal Counsel advising public entities on contract matters.
4. Project Managers overseeing public infrastructure and development projects.
5. Finance Officers involved in public sector contract management.
6. Auditors responsible for reviewing public contracts and expenditures.
7. Policy Makers involved in shaping public procurement regulations.
8. Representatives from private sector companies contracting with government entities.

Course Outline

Module 1: Foundations of Public Contract Law and Dispute Resolution

- Overview of the legal framework governing public contracts in Kenya.
- Key principles of contract formation, interpretation, and performance in the public sector.
- Understanding the different types of public contracts and their specific legal considerations.
- Introduction to the concept of dispute resolution and its importance in public procurement.
- Case Study: A dispute arising from ambiguous contract language in a road construction project.

Module 2: Identifying and Analyzing Public Contract Disputes

- Common causes of disputes in public procurement processes (e.g., delays, variations, payment issues).
- Methods for identifying and documenting potential and actual disputes.
- Analyzing contract terms and conditions to understand the rights and obligations of parties.
- Assessing the financial and operational impact of contract disputes on public projects.
- Case Study: Analysis of a dispute involving alleged breach of contract in a technology procurement.

Module 3: Negotiation and Communication Strategies for Dispute Resolution

- Principles of effective negotiation in the context of public sector contracts.
- Developing negotiation strategies and tactics for different types of disputes.
- Active listening and communication skills for resolving disagreements.
- Managing difficult conversations and stakeholders during negotiation.
- Case Study: A successful negotiation leading to the amicable settlement of a service delivery dispute.

Module 4: Mediation in Public Contract Disputes

- Understanding the principles and process of mediation.
- The role and responsibilities of a mediator in public sector disputes.

- Preparing for and participating effectively in mediation sessions.
- Drafting settlement agreements and ensuring their enforceability.
- Case Study: The use of mediation to resolve a complex dispute between a government agency and a contractor over project delays.

Module 5: Arbitration of Public Contract Disputes

- Overview of arbitration as a formal dispute resolution mechanism.
- Understanding arbitration agreements and procedures in the public sector.
- Preparing for and presenting a case in arbitration proceedings.
- Enforcement of arbitral awards in Kenya.
- Case Study: An arbitration case involving a dispute over the quality of goods supplied to a public institution.

Module 6: Other Alternative Dispute Resolution (ADR) Mechanisms

- Introduction to other ADR methods relevant to public contracts (e.g., conciliation, expert determination).
- Understanding the advantages and disadvantages of different ADR approaches.
- Selecting the most appropriate ADR method for specific types of disputes.
- Hybrid ADR processes and their application in the public sector.
- Case Study: The successful use of expert determination to resolve a technical dispute in an infrastructure project.

Module 7: Preventing and Managing Contract Claims

- Strategies for proactive dispute avoidance in public procurement.
- Developing effective contract management practices to minimize claims.
- Procedures for submitting, evaluating, and responding to contract claims.
- Document management and record-keeping for potential disputes.
- Case Study: Implementation of a proactive contract management system that significantly reduced the number of claims.

Module 8: Ethical Considerations and Best Practices in Public Contract Dispute Resolution

- Ethical obligations of professionals involved in resolving public sector disputes.
- Maintaining impartiality and fairness in dispute resolution processes.
- Best practices for documenting dispute resolution efforts.
- Legal and regulatory updates relevant to public contract dispute resolution in Kenya.
- Case Study: An ethical dilemma encountered during a dispute resolution process and the principles applied to resolve it.

Training Methodology

This training course employs a highly interactive and experiential learning approach, incorporating:

- **Interactive Lectures and Discussions:** Engaging participants in active learning and knowledge sharing.
- **Practical Exercises and Activities:** Providing opportunities to apply learned concepts in a safe environment.
- **Individual and Group Presentations:** Offering hands-on practice and personalized feedback.

- **Video Recording and Analysis:** Enabling participants to observe and refine their delivery skills.
- **Constructive Peer and Instructor Feedback:** Providing valuable insights for improvement.
- **Case Study Analysis:** Examining real-world examples of effective and ineffective presentations.
- **Role-Playing Scenarios:** Simulating various presentation scenarios to build confidence.

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

Start Date	End Date	Location	Price
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

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

Register Online Now

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