

Workshop

Negotiating & Managing Commercial Contracts for Non-Legal Professionals and Legal Counsels

26-27 April 2007, Le Meridien Hotel, Orchard Road, Singapore

- ↪ **Improve** the profitability of your contracts by avoiding common contractual pitfalls
- ↪ **Identify, manage and mitigate** risk when negotiating the tenders
- ↪ **Define** performance terms in order to guarantee effective delivery and minimize losses
- ↪ **Address** the unique issues associated with international contracts

WHO SHOULD ATTEND?

- ☑ Managers responsible for purchasing products or services for their department or company
- ☑ Executives responsible for supplying products and services
- ☑ Commercial executives and managers
- ☑ Project and contract managers
- ☑ Procurement and purchasing staff
- ☑ Key personnel involved in facilities management
- ☑ Managers responsible for implementing technically oriented projects

Gain an insight into the commercial skills required to help you through each step of negotiating, and managing commercial contracts :

Understanding the Role and Value of Contracts

- Objectives of the business
- The expectations of shareholders, customers, employees, suppliers
- Measuring the quality of a contract
- Successful contract management

Understanding Both Buyers' and Sellers' Positions in the Tendering Process

- Pre-bid activities
- The bid/no-bid decision
- Understanding bid selection criteria
- Producing winning tenders
- Selecting and evaluating bids from suppliers

Negotiating the Deal to achieve project and organizational objectives

- Preparation and planning
- Seeking win/win solutions
- Advantages and disadvantages of partnering
- The risk/price trade-off
- Pre-bid activities

Contractual Risk Management in practice

- The process and the timing of risk management
- Recognizing the sources of risk

- Methods of risk identification
- Forming a risk register
- Identifying and key risks
- Risk evaluation and the estimating process
- Actions for cost-effectively managing risk
- Identification of risks and construction of checklist

Contents of the Contract

- Defining the contract documents
- Use of company standard terms
- Model form contract conditions
- Implications of the unfair contract terms act

Performing the Contract with contractors and suppliers

- Quality and warranty, implied and explicit terms
- Exemptions clauses and limitations of liability
- Remedies for breach of contract
- Consequential loss
- Liquidated damages, penalties and incentives
- Force majeure (extensions of time)

International Contracts

- The additional risks of international contracts
- Incoterms 2000 - Definitions and implications
- Methods of payment - Letters of credit
- Bonds and bank guarantees
- Foreign currency exposure
- Language, law and arbitration
- Essential elements of a letter of credit

Module of Workshop : 6 hours teaching
3 hours simulation
3 hours practicing

Presentation Language : English and Bahasa

SPEAKER : Mr. Azman Jaafar

- LLB (NUS)
- Advocate & Solicitor, Supreme Court of Singapore (1991)

Managing Partner of J Koh & Co on 1 June 2003 and later the Managing Director of JCO LLC (after the corporatization of J Koh & Co's practice) on 1 December 2003. Continued as a partner of Ang & Partners when JCO LLC's practice merged with Ang & Partners on 16 February 2004. Lecturer of Negotiating Contract in Faculty of Law, National University of Singapore.

Areas of Practice

Mergers and acquisitions, capital markets, corporate restructuring, cross-border investments and technology law. Represented foreign and local multinational corporations, financial institutions and local SMEs. Advises on various commercial transactions involving local as well as foreign clients. Legal Drafting Contract for various of contract such as Infrastructure Contract, Telco, EPC, TAC, PSA, and others.

FORMULIR REGISTRASI

Negotiating & Managing Commercial Contracts
for Managers and Non-legal Managers

Nama : _____
Jabatan : _____
Instansi : _____
Alamat : _____
Tel/Fax : _____/_____
HP/Email : _____/_____

Biaya : Rp. 7.100.000,- (Excluding Fiscal & Airport Tax)

Fasilitas:

- Conference & Sertifikat
- Pesawat JKT-SIN-JKT (Berangkat 25/04, Pulang 28/04)
- Local Transport
- Stay 3 nights (Twin Sharing Room) in Le Meridien Hotel, Orchard Road, Singapore
- Stay 3 nights in single room: Rp. 8.800.000,-

Bank Transfer :

- ★ Bank Mandiri Cab JKT Iskandarsyah No Acc. 126 000 4322 912
a/n PT Bismark Solusi Konsultan
- ★ BCA Cab Melawai No Acc. 070 303 0715
a/n PT Bismark Solusi Konsultan
- ★ Bank Danamon Cab Panglima Polim No Acc. 491 47150
a/n PT Bismark Solusi Konsultan

_____, __/__/2007

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