

Advanced Certificate in Construction law & Contract Management

Long title: An in-depth course on Construction Contract life cycle management involving procurement, management and dispute resolution functions. Also understand the principles of construction law and how they are applicable to construction contracts

Why this course?

Construction law is a specialized field of law that deals with the legal issues arising from the construction process. It encompasses a range of legal issues related to the design, construction, operation, and maintenance of buildings, infrastructure, and other construction projects.

The Indian construction industry is growing at an exponential rate. It is expected that over the next 4 years the Indian construction industry would be registering an annual growth of 6.3% and India's infrastructure investment will be in the range of US\$ 1.3 trillion (INR 104.2 trillion) Similarly the pipeline of projects planned or underway in the GCC has been estimated at about US \$ 2.65 trillion at the end of June last year.

Given the size of complexity of the construction sector, it is essential that every professional who are involved in the construction industry (including lawyers) to understand the nuances of construction law and contract management.

This course would upskill you with best international practices and will provide practical tips to handle various challenges faced during the life cycle of projects.

Suitable for construction engineers (Any discipline), cost engineers/quantity surveyors, scheduling/planning engineers, design engineers, legal professionals, auditors and construction finance professionals and project managers.

Key learning objectives

- Fundamentals of Contract and uniqueness of construction contracts
- Contract life cycle, various stake holders
- Various procurement routes & Compensation principles
- Estimation, tender process and pre contract risks
- Understanding cost plan and contingencies
- Role of an Engineer/Contract Administrator
- Best practices in contract administration (Pre and Post)
- Importance of robust baseline program, Critical path evaluation
- Project delays and entitlement for an extension of time
- Effectively managing the changes with respect to cost and time
- Cost reporting and variance analysis
- Risk management process; Risk register

- How to deal with termination of contracts?
- Know about onerous requirements for notices; condition precedent
- What is ADR? Primer on arbitration
- Practical tips for successful contract management

Benefits:

- The cohort would be able to use the knowledge gained during the course simultaneously on their professional work
- Discounts for the future courses launched by the Law School.
- Certificate would be issued with assessment grade; Will count for 32 hours of CPD hours
- Career advancement
- Inter disciplinary knowledge gain
- Limited participants to ensure good interaction with tutors

MLS is associating with an international contract management consultancy by name C Cubed Consultants limited (www.ccubedconsultants.com) to create and deliver this unique program.

They have extensive experience in providing industry specific bespoke training programs and some of their clients are listed below



Some of the other conferences and tutoring at various educational institutes C Cubed are below



Module description

Module 1: Principles of Contract & Introduction to Construction law

Module 2: Procurement of Construction Contracts & Cost planning

Module 3: Contract Administration (Employer Perspective and Contractor's preparedness)

Module 4: Time elements of the Contract

Module 5; Change Management, Cost Control and Cost Reporting

Module 6: Project risk management

Module 7: Termination of contracts

Module 8: Construction claims and dispute resolution plus

Module 9: International Construction Law

Mode of delivery: Virtual instructor led tutoring/training; this training would be provided by senior management professionals who are practicing in the construction industry for over 30 years in India and abroad. MLS is collaborating with an international contract management consultancy to develop and deliver the program as their **Knowledge Partner (C Cubed consultants limited)**

Assessment: Quiz on each topic (weekly), 2 case study submissions one after 4 weeks and another at the end of the course

Detailed module descriptor

Module 1: Principles of Contract & Introduction to Construction law

Topics covered:

What is a Contract, How a valid contract is formed, why Construction contracts are unique, implied terms in a contract, contract interpretation, and various stakeholders involved, contract life cycle from inception to completion, standard forms, commonly used contracts in construction in India (like FIDIC, NHAI, CPWD and others), special forms for unique construction like tunnels, marine works

Principles of construction law, how the various laws and statutes impact the construction industry, topics included in the construction law specialization and why it's important for construction professionals to understand the principles of construction law and how it impact the performance of the construction projects.

Module 2: Procurement of Construction Contracts & Cost planning

Various procurement routes, pros and cons of each route, compensation principles, how to choose appropriate compensation mechanism, estimation, tendering process, contract dossier, prequalification, tender correspondence, site visits, importance of appendices and test report, negotiation, issuance of LOI.

Understanding cost plan, design stages and development of cost, contingencies, value engineering

Module 3: Contract Administration (Employer Perspective and Contractor's preparedness)

Role of an Engineer, Engineer/Project Manager contrasted, site instructions, RFI responses, site inspection, responsibility for quality of work, taking over matters, role of Engineer during defects liability period, Variation instructions and Engineer's decision/determination. Dos and don'ts in contract administration (Pre and Post)

Module 4: Time elements of the Contract

Baseline program requirements, preparation of construction scheduling, importance of establishing correct critical path, good practices in scheduling, program updates, earned value management, and primer on delay analysis

Module 5; Change Management, Cost Control and Cost Reporting

Owner's unilateral right to make changes in scope, how to effectively manage the change, change management as a tool to manage and control costs, cost reporting, variance analysis and cost control, Use of BOQ rates, BOQ loading

Module 6: Project risk management

Understand Project risks, classification of risks, risk process of identifying, quantifying risks, qualitative and quantitative assessment procedures, risk register, building and implementing risk response plan, monitoring and controlling risks, lessons learned for future projects

Module 7: Termination of contracts

Termination of contracts by Employer, Suspension and termination by Contractor, what is a Termination without a breach, substantial breach, payment upon termination, indemnities and force majeure

Module 8: Construction claims and dispute resolution

Owners claim against contractor, Contractors entitlement under the Contract, Claim procedures, contemporaneous records, condition precedent, adjudication and primer on arbitration, Tips for successful construction contract management

Additional module for International professionals ONLY

International construction law, Civil law legal systems, contract interpretation under civil codes, working with professionals coming from different cultures and nationalities, dispute resolution in projects with different nationalities, customary practices and perception of claims and disputes

This module will focus on the Middle East and Far East audience with relevant case studies.

While signing up for the program please choose the international link and pay in US Dollars to undertake this module.

Faculty profile



Course Advisor/Mentor: Phil Simons

Phil Simons is a and Chartered Quantity Surveyor, Chartered Arbitrator and Construction law specialist having circa 50 years of professional experience in the roles of Chief Commercial Officer, Commercial director with leading Contractors in the United Kingdom and UAE. Phil has commenced his professional career with JAMES R KNOWLES & ASSOCIATES – Manchester, UK, the pioneer of developing construction claims as a distinct profession (Now HKA) and had the responsibility to

oversee the opening and development of the first London office at Covent Garden during circa 1980. He has been mentoring and training construction and quantity surveying professionals and was part time lecturer at Manchester University (formally UMIST).

Trainer's Profile

Prof. R. Venkat



Prof. R. Venkat, Professor of Practice- Law, Manipal law school, 38 years (Out of which 32 years in the Middle East) of professional experience in the Construction contracts in all aspects including design, project management, estimation, contract administration and dispute resolution. He has interdisciplinary qualifications in Engineering, Construction law and Cost and Management Accountancy. Venkat is an international trainer having conducted several workshops/events all over GCC countries, Far East and India. He designs training programs and educational courses to upskill the professionals based on the market requirements and advancements in the industry.

In addition to the above, there will be 5 other senior industry professionals will be tutoring different modules. See the flyer for trainer's details.

Knowledge Partner

