



Workshop on Drafting Enforceable Contract Conditions

January 22 – 26, 2024, 1st Run: Lagos & Port Harcourt

July 15 – 19, 2024, 2nd Run: Lagos & Abuja

For Tutor -Led Class: 9am – 4:30pm

Workshop fee: N250, 000 per Participant

For online: Delivery via Zoom

Online course fee: N200, 000 per Participant

Available for In-plant Training

**500 U\$D for foreign
Participants**

Program overview

An enforceable contract is a written or oral agreement that can be imposed in a court of law. If the law permits enforcement of a contract, execution of an agreement is the obligation of the assenting parties. To enforce means mandatory compliance with a contract. Contract law provides that contracting parties have a right to commitment and enforceability. Parties' mutually assenting agreement and signatory of a contract are obliged to adhere to the rules of contract law, by performing as promised.

In this workshop on Drafting Enforceable Contract Condition, participants will learn the art of drafting enforceable contracts through hands-on practical exercises in the program.

For Whom:

This program is designed for decision-makers involved in drafting, reviewing and understanding contract terms, Contracts managers, Project & Procurement Professionals, In-house Legal Advisers, Engineers and other technical professionals who are required to prepare technical specifications or proposals.

Learning Objective

At the end of the program, participants will be able to:

- explain why contracts are drafted in specific ways for legal enforcement in the law courts;
- list the legal principles behind contracts formats;
- explain what risks cannot normally be transferred;
- discuss how risks are transferred;
- carry out practical exercises on contract documents amendment to meet specific requirements in contracts including the use of special conditions;
- develop skills to draft and analyze enforceable contracts clauses;
- list and explain questions every enforceable contract should answer;
- learn first to negotiate the deal before structuring the contract documentation;
- draft clear and concise contract (reduce ambiguity in contracts);
- learn that contract is self-imposed court-enforceable legal obligations that is not contrary to public law; and
- list and explain explicit and implied terms of a contract.

Course Outline:

Day 1: Understanding Contract Conditions.

- Expressed and Implied Contractual Responsibilities.
- Notice Requirements including when waived.
- The Responsibilities of Contractor, Owner and Consultant on the Project
- What is "Fair and Reasonable"?
- How do Claims Arise? Legal Basis, how can these be reduced?

Day 2: Contracting Methods and Associated Risks:

- Letter Contracts
- Material Purchases
- Labour Supply Contracts
- Service Contracts
- Package Deals, Turnkey Design Build,
- Traditional Single General Building Contractor or Engineering Contractor,
- Construction Manager Method,
- Phased Construction: Multiple-Prime Contractor, Fast Track Contracting.
- BOLT
- Technology Purchase and Consultancy Contracts
- Financial Risks on the different contracts.

Day 3: Duties Responsibilities of the Parties to Project Contracts.

- Drafting Contracts Guidelines and Checklists
- Process of Contract Drafting;
- Elements of Effective Contracts
- Fundamental Policies and Values of Contract Law
- Sources of Contract Law
- General Writing Principles Applicable to Contract Drafting
 - Using Defined Terms
- Available Standards Resources for the Drafting Professional

Day 4: How Risks are transferred.

- What Risks cannot normally be transferred?
- Means of coordinating
- When Risk Transfer is Really Complete?

Transferring Specific Risks:

- Co-ordination of Contractors on Site,
- No- Damage-For- Delay-Clause,
- Project Schedule,
- Liquidated Damages,
- Unforeseen Site Conditions,
- Variation Orders,
- Right to Terminate,
- Dispute Resolution,
- Keeping appropriate Records,
- Inspection of Works,
- Safety,
- Price Fluctuations,
- Exceptional Weather Conditions

Day 5: Special Problems:

- Engineering-Contractor and Consultant Contracts
- Drafting Contracts Guidelines and Checklists
- Available Standards Resources for Drafting Professionals
- Case Studies on recent cases

LOCATIONS

1 - HCA Learning Centre. Acme House 2nd Floor,
23, Acme Road, Ogba, Industrial Scheme,
Ikeja, Lagos, Nigeria

2 - Green-Minds Hotel, Plot 764, Cadastral Zone B05,
E. Ekukinam Street, Utako District, Abuja

3 - Pakiri Hotel Ltd, 4 Okwuruola Street, off Stadium Road,
Port Harcourt, Rivers, Rivers

Open Course Fee: N250, 000
In-plant Fee Negotiable

WORKSHOP FEE:

N250, 000 per participant, VAT – N18, 750.

Note: this covers Workshop Fee, Tea/coffee break, Lunch, course materials and certificate of attendance.

Payment should be made into our Accounts:

Account Name:

Human Capital Associates Global Consult Ltd.

Union Bank of Nig. PLC: Account No: 0097961537

First Bank of Nig. PLC: Account No: 2033683960

Keystone Bank Ltd.: Account No: 1007150325

Enquiry/Booking, Contact: 234-8051365946, 234-7087578814
24/7 Lines: 2348029170491, 234-8068933608, 234-8145745664,
& 234-9112830607

Training Methodology

Lectures, discussions, exercises, and case studies will be used to reinforce these teaching/learning methods.