



Institute for Capacity Development (ICD)

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Contract Drafting, Negotiation Skills and Procurement Management

Course Objectives

On completion of the Workshop participants should be able to:

- Avoid basic errors which invalidate contracts or cause confusion later
- Draft well structured, practical, clear and concise documents
- Use clear specific words and phrases to set out obligations and benefits
- Plan and prepare effectively for a negotiation
- Cope with difficult negotiations
- Effectively utilize the language of negotiation
- Develop, organize, and deliver an effective negotiation strategy
- Plan procurement and implement it
- Apply the basic procurement rules and regulations

Target Groups

- Managers,
- Executives and Directors
- Lawyers and Legislators
- Senior Government Officials
- Negotiation Specialists
- Buyers and Procurement officers
- Other staff that have to negotiate as part of their job.

Outline

- General Management Principles and Skills
- The basics of good drafting
- Understanding contract purpose and form
- General Contract drafting pitfalls
- Identifying the key factors to be taken care of while drafting a contract
- Checklist and procedures for drafting
- Structure and format of agreements
- Planning the contract
- Structuring clauses
- Basic contract law relating to obligations and liabilities
- Negotiating terms and conditions
- Being exact and concise in contracts
- Penalties and remedies for breach and infringement
- Drafting dispute resolution clauses in contracts to avoid or minimise costs of disputes with special emphasis on arbitration
- Preliminary agreement forms

- Legal negotiation
- Understanding the need for negotiations
- Negotiating Challenges
- Negotiation objectives
- Elements of a negotiation
- Effective Preparation before the Negotiation
- Identification of parties (stakeholders) and their respective interests and priorities
- Negotiation checklist
- Negotiating skills
- Attributes of a good negotiator
- Negotiation styles and tactics
- Sources of Power and Leverage
- Deadlocks, Standstills, and Concessions
- Resisting Intimidation and Pressure
- Dealing with hostile parties
- Fighting Dirty Tactics
- Recognising the tricks people play
- Managing multi-party negotiations
- Understanding verbal and non-verbal signals
- How to kick-start a stalled negotiation
- Crafting and drafting durable agreements with an emphasis on successful implementation of the agreement
- Ways to close a deal successfully
- Procurement planning and management
- The procurement process
- Supplier sourcing and Global procurement
- Quality control management and performance management
- Procurement of consultancy services
- Stock control , inventory management and legal aspects of public procurement
- The composition and role of the tender committee
- An overview of standard procurement/tender documents
- Contacts and contractual management
- Procurement professional ethics
- The structure and role of the public procurement directorate
- Action planning

Dates: 17th – 28th October 2022

Duration: 2 weeks

Course Costs: US\$2850/delegate

Venue: Windhoek, Namibia