



Engineering Staff College of India

An Autonomous Organ of The Institution of Engineers (India)

Old Bombay Road, Gachi Bowli, Hyderabad-500 032

(IMS [ISO 9001:2015, ISO 14001:2015, ISO 50001:2018, ISO 45001:2018],
ISO/IEC 17025:2017 Certified, AICTE & CEA Recognized Institution)



CIVIL & TRANSPORTATION ENGINEERING DIVISION

Training and Development Programme On

Contract Management E-Tendering and Condition of Contract for EPC/Turnkey projects-FIDIC 99

20th –24th November, 2023

Venue : ESCI / Cochin



Centre for Promotion of Professional Excellence

INTRODUCTION:

Contract management is the process of generating, executing, and monitoring contracts. This can include negotiating terms, drafting documents, and ensuring that both parties meet their obligations. Contract Management has the vital components in any Project and needs adequate attention. Because of the involvement of several stake holders, different types of contracts and conditions have made this task more complex. The projects are being subjected to cost and time overruns because of disputes arising and continuous issues in the projects. Irrespective of the type of project, contracts happen to be the main of all the relationships that an organization develops with important stakeholders like partners, suppliers, customers etc. Even though, Contracts are the most central aspect in organization's functioning, they are the neglected element of the Procurement Cycle and hence lead to delays, disputes and disagreements.

Courts are flooded with cases and it is taking a long time to settle these disputes. Disputes lead to enormous loss to the huge as well as the clients. In this scenario, it is necessary to minimize, understand and resolve these disputes. Proper Contract Documentation and Contract Management reduce the load of claims.

World Bank Conditions, FIDIC and other forms of Contracts have been levying penalties for delay in completion and paying Bonus for early completions. Project Management is always taking all steps for effective Contract Management. The old forms of contracts are getting replaced with modern formats such as Build Own Transfer Family Contracts, Turnkey Contracts, EPC Contracts, Build and Design etc. The practicing professionals shall be familiar with the new mechanisms / techniques, so as to manage projects in the present scenario.

A Tender is an offer or invitation to bid for a project or to accept a formal offer. Tenders are usually conducted in four stages: Prequalification; the issue of tender documents; receipt and review of tenders; award of contract. E-tendering simply consists of procurement and tendering methods and processes that have been moved to an online / the process of sending and receiving bid tenders using online procurement platforms.

Arbitration is a process of resolving disputes between two or more parties. It is an alternative to traditional litigation, where a judge or jury decides the outcome of a case. In arbitration, the parties agree to have their dispute decided by an impartial third party, called an arbitrator. Arbitration is often used in contract management to resolve disputes.

OBJECTIVES:

- To familiarize participants with “The Indian Contract Act 1872” and “The Arbitration & Conciliation Act 1996”.
- To impart knowledge on Bidding Process.
- To know about Contract Performance, Substantial Performance, & Breach of Contract
- To Know about E- Tender Process
- To know the Arbitration Process and its necessity in Dispute Resolution.
- To describe various alternative dispute resolution mechanisms such as Arbitration, Conciliation Dispute resolution Boards etc.

COURSE COVERAGE :

- Overview Contract Management E-Tendering and Condition of Contract for EPC/Turnkey projects-FIDIC 99
- Process of E-Tendering & Tender Policy
- Bidding Process; Receiving Tenders; Negotiation; Award of Contract; Agreement Conditions; Bid Conditions for State & World Bank Projects
- Principles of Law of Contract and The Indian Contract Act 1872 (As Amended by Act 4 of 2003)
- Contract Performance, Substantial Performance, & Breach of Contract
- Conditions of contract for EPC/Turnkey Projects – FIDIC 99
- Disputes & Claims in Engineering Contracts – Causes and Remedial Measures
- Arbitration - Types of Arbitration - International Commercial Arbitration
- Simulation Exercise on Arbitration
- Group discussions, Presentation of Case Studies by Participants

BENEFITS TO THE PARTICIPANTS:

- Participants are benefited from understanding the new formats of contracts such as Turnkey contracts, EPC Contracts , FIDIC 99 etc.,
- Participant will understand the process of E- Tendering & Tender Policy
- Participants are benefited through better understanding “The Indian Contract Act 1872” and “The Arbitration & Conciliation Act 1996”.
- Simulation Exercise / Activity on Arbitration is conducted
- Case studies are discussed during the training period

TARGET PARTICIPANTS:

Officers and Engineers from Government departments like Roads and Buildings, PWD, Municipal Corporations, Panchayat Raj, Housing Boards, Border Roads organization, Public and Private sector like RITES, Construction companies, organizations involved in Construction activities, Professionals and Consultants etc., working at junior level to senior level will all be benefited by attending this program.

RESOURCE PERSONS:

Renowned personalities from Industry who are experts in the area of Contract Management and Dispute Resolution. Reputed Universities, who are experts in this field, will be involved in providing the training.

PROGRAMME VENUE, DATES &TIMINGS:

VENUE : **Engineering Staff College of India (ESCI)** Campus, Old Bombay Road, Gachi Bowli, Hyderabad- 500 032. / **Cochin**

Note :-

1. If Venue at **ESCI Campus Hyderabad**, No of Participants from your organization is as per your Choice.
2. If Venue at **Cochin**, No of Participants: **25 No's (Minimum) from your organization.**

DATES : **20th to 24th November, 2023**

Registration : 09:45hrs.

Session timings : 09:45 – 17:15 hrs with 3 times breaks.

COURSE DIRECTOR:

Dr. R Venkat Reddy, Ph.D (Osmania), FIE
Head

COURSE COORDINATOR:

Ch. Tilak – Faculty

COURSE FEES:

Rs.27,500/- (Rupees Twenty Seven Thousand Five Hundred Only) + GST 18% per participant. Fee includes, Soft copy of course material, course kit and Twin Sharing AC accommodation, breakfast, lunch, dinner, tea / coffee and snacks during the actual days of training programme.

DISCOUNTS

- ❖ **Non-Residential Fee-** 10% discount on course fee is allowed for non-residential participants.
- ❖ **Group Discount:** Additional 10% discount for three or more participants, if sponsored by the same organization.

GST 18% is to be paid extra over and above the training fee, as training is also brought under the purview of **Service Tax. PAN Card No AAATT3439Q; Service Tax registration No AAATT3439QST008 (under commercial training or coaching services – clause 65(105) (ZZC) of Finance act – 1994). GSTN Number – 36AAATT3439Q1ZV (HSN Number – 999293)**

Programme fee is to be paid in favor of **“IE (I) – Engineering Staff College of India”** in the form of demand draft payable at Hyderabad.

Alternatively the payment may be made by **Electronic Fund Transfer (EFT) to ESCI - SB A/c No. 10007111201 with The SBI, PBB, Rajbhavan Road Branch, Khairatabad, Hyderabad-500004 by NEFT / RTGS / IFSC Code No. SBIN 0004159 – MICR No.500002075**. While using EFT method of payment, please ensure to communicate us your company name, our invoice reference and programme title.

REGISTRATION:

Please send your nominations

**To
The Head
Civil & Transportation Engineering Division
Engineering Staff College of India
Old Bombay Road, Gachi Bowli, Hyderabad - 500 032
Mobile : 9490011311 / 9492011311
Phone: 040-6630 4114, 66304134, 66304115, 66304107
Email : cte@escihyd.org**

CERTIFICATE:

A certificate of participation will be awarded to each participant.

GENERAL INSTRUCTIONS

- ESCI encourages participants to present case studies from their respective organizations.
- ESCI provides complimentary accommodation and boarding to the participants one day before commencement (Check-in 1200hrs) and one day after conclusion (Check-out 1100hrs) of the program duration. Overstay charges will be applicable as per ESCI rules (subject to availability of accommodation).