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COURSE BROCHURE

Advanced Construction Contract Law Training Course

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Registered in the United Kingdom and Saudi Arabia

Advanced Construction Contract Law Training Course

Advanced Construction Contract Law is a 2-week training course for contract managers, in-house counsel and claims consultants in construction, built around one work product: a legal risk and dispute strategy memorandum for a live contract. Rising project values, multi-party supply chains and tighter enforcement of notices and time bars mean that legal misreadings now cost entitlement, reputation and years of dispute. Jupiter Prime Training presents this course on construction contract law.

Why Construction Contract Law Matters Now

Three forces shape construction contract law today: employers drafting bespoke amendments that shift design, ground and delay risk further onto contractors; tribunals applying notice provisions and time bars strictly, so procedural slips defeat sound claims; and funders and insurers scrutinising liability caps, bonds and termination rights. Organisations that read their contracts with legal precision protect entitlement and settle early, while those relying on custom and assumption meet adverse awards and broken relationships. The course draws on the doctrines of contract formation and interpretation and on the main standard forms, the International Federation of Consulting Engineers FIDIC suite, the New Engineering Contract NEC and the Joint Contracts Tribunal JCT forms.

Who Gains Most from Construction Contract Law

- Contract managers who administer notices, instructions and certificates under live contracts
- In-house counsel who advise boards on liability, termination and dispute exposure
- Claims consultants who prepare and test entitlement arguments for employers or contractors
- Commercial directors who negotiate amendments, caps and security packages
- Project directors who must decide when a disagreement becomes a formal dispute

Legal and commercial departments of contractors, developers and consultancies gain most when counsel and contract managers attend together and agree one reading of their standard positions.

Construction Contract Law Capabilities

Participants move from knowing what a clause says to predicting how a tribunal would read it.

- Assess contract formation, incorporation of documents and order of precedence — contract signature decisions
- Apply interpretation principles and implied terms to disputed clauses — in-house legal opinions
- Weigh liquidated damages, penalties and liability caps — commercial negotiators
- Test causation, concurrency and time bar compliance in delay entitlement — claims consultants
- Specify termination steps and insurance responses — boards and insurers
- Design a dispute route from negotiation through adjudication to arbitration — executive sponsors

Key Construction Contract Law Terms

- Condition Precedent — a requirement, such as a timely notice, that must be met before a right to payment or time arises.
- Liquidated Damages — a pre-agreed sum payable for delay, enforceable when it protects a legitimate interest rather than punishing breach.
- Implied Term — an obligation read into a contract by law or necessity although the parties did not write it.
- Concurrent Delay — two or more delay events of approximately equal causative effect, one the employer's risk and one the contractor's.
- Repudiatory Breach — a breach serious enough to entitle the innocent party to treat the contract as ended.
- Adjudication — a fast interim dispute procedure whose decision binds the parties until final resolution by arbitration or litigation.

Construction Contract Law Day by Day

Day 1: Legal Foundations of Construction Contracts

- Offer, Acceptance and Letters of Intent — Deciding When a Binding Contract Exists
- Incorporation of Documents and Order of Precedence — Resolving Inconsistent Terms
- Common Law and Civil Law Approaches — Anticipating How Courts Read Contracts
- Good Faith and Collaborative Obligations — Gauging Their Legal Effect
- Battle of the Forms in Subcontracting — Fixing Whose Terms Govern

Day 2: Interpretation and Implied Terms

- Contextual and Literal Interpretation Principles — Predicting Tribunal Readings
- Contra Proferentem and Exclusion Clauses — Testing Ambiguous Risk Transfers
- Terms Implied by Law and Fact — Identifying Unwritten Obligations
- Fitness for Purpose Versus Reasonable Skill and Care — Allocating Design Liability
- Entire Agreement and Variation Clauses — Controlling Informal Amendments

Day 3: Standard Forms Compared

- FIDIC Red, Yellow and Silver Books — Matching Form to Procurement Route
- NEC Early Warning and Compensation Event Logic — Comparing Collaborative Mechanisms
- JCT Relevant Events and Loss and Expense — Reading Traditional Entitlement Rules
- Particular Conditions and Bespoke Amendments — Spotting Shifted Risk
- Back-to-Back Subcontract Drafting — Avoiding Gaps Between Tiers

Day 4: Time, Delay and Causation

- Completion Obligations and Extensions of Time — Linking Events to Entitlement
- Prevention Principle and Time at Large — Assessing When Completion Dates Fall Away
- Concurrent Delay Approaches — Comparing Apportionment and Dominant Cause Tests
- Causation Evidence and Programme Records — Proving Delay in Tribunals
- Acceleration Instructions and Constructive Acceleration — Recovering Additional Cost

Day 5: Notices, Time Bars and Procedure

- Notice Clauses as Conditions Precedent — Protecting Rights to Time and Money
- Form, Content and Service of Notices — Avoiding Technical Defeats
- Waiver and Estoppel Arguments — Rescuing Late Notices
- Engineer and Project Manager Determinations — Challenging Certifier Decisions
- Contemporaneous Records as Evidence — Building Admissible Proof

Day 6: Liability, Defects and Damages

- Defects Liability Periods and Latent Defects — Fixing Duration of Exposure
- Liquidated Damages and the Penalty Rule — Assessing Enforceability
- Limitation and Exclusion of Liability — Drafting Caps and Carve-Outs
- Consequential Loss Definitions — Resolving Disputes Over Lost Profit
- Professional Negligence of Designers — Allocating Responsibility in Design Chains

Day 7: Security, Insurance and Termination

- Performance Bonds and Parent Company Guarantees — Calling and Resisting Security
- Contractors' All Risks and Professional Indemnity Cover — Matching Insurance to Risk
- Termination for Convenience and for Default — Following Contractual Steps Correctly
- Repudiation and Acceptance — Avoiding Wrongful Termination Exposure
- Insolvency in the Supply Chain — Protecting Works, Materials and Payments

Day 8: Dispute Resolution Routes

- Dispute Avoidance and Adjudication Boards — Resolving Issues During the Works
- Statutory and Contractual Adjudication — Enforcing Interim Decisions
- Expert Determination and Mediation — Choosing Non-Adversarial Options
- International Arbitration Procedure — Seat, Rules, Tribunal and Enforcement
- Litigation Versus Arbitration — Weighing Cost, Privacy and Appeal Rights

Day 9: Evidence and Advocacy

- Pleadings and Statements of Case — Framing Claims and Defences Clearly
- Witness Statements and Document Disclosure — Preparing Factual Evidence
- Delay and Quantum Expert Reports — Instructing and Testing Experts
- Without Prejudice Negotiation — Protecting Settlement Discussions
- Costs Risk and Settlement Offers — Deciding When to Settle

Day 10: Practising the Dispute Strategy Memorandum

- Clause Interpretation on a Case Contract — Applying Earlier Reading Principles
- Notice and Time Bar Audit — Rehearsing Procedural Compliance Checks
- Liability and Termination Exposure Map — Testing Contract Positions
- Dispute Route Selection Exercise — Matching Forum to Objectives
- Legal Risk and Dispute Strategy Memorandum — Completing the Board-Ready Work Product

Applying Construction Contract Law After the Course

- Audit notice and time bar provisions in one live contract and issue a notice calendar to the project team.
- Prepare a short legal opinion on a disputed clause using contextual interpretation and implied term analysis, and present it to the commercial director.

Construction Contract Law Questions FAQ

What is construction contract law and why does it matter now?

Construction contract law is the body of legal principles that governs how construction contracts are formed, read, performed, ended and disputed. It matters now because bespoke amendments and strict enforcement of notices and time bars decide entitlement in many disputes.

Which roles gain most from construction contract law training?

Contract managers, in-house counsel and claims consultants gain most, together with commercial and project directors. Each makes or advises on decisions about notices, liability, termination and dispute routes that carry legal consequences.

How does construction contract law training differ from a construction claims course?

Construction contract law training centres on legal doctrine and dispute forums rather than claim preparation. A claims course concentrates on delay analysis and quantifying change; this training covers formation, interpretation, implied terms, damages, termination, insurance and adjudication to arbitration.

What do you bring back from construction contract law training?

You bring back a legal risk and dispute strategy memorandum for a live contract, with clause interpretations, a notice and time bar audit, a liability map and a recommended dispute route your organisation can act on.

Construction Contract Law: The Way Forward

The legal risk and dispute strategy memorandum first informs whether to escalate a disagreement or settle it. Counsel, contract managers and directors use it as one agreed reading of rights and exposure. After its first use, revisit how tribunals or counterparties responded to the positions taken and refine standard amendments and notice procedures for the next contract.