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COURSE BROCHURE

Energy Contract Negotiation and Claims Training Course

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Registered in the United Kingdom and Saudi Arabia

Energy Contract Negotiation and Claims Training Course

Energy Contract Negotiation and Claims is a 2-week advanced training course for contracts, commercial and procurement specialists in energy companies who negotiate engineering, procurement and construction, supply and service agreements, and it ends with a negotiation and claims brief for a live contract. Larger capital projects, volatile equipment markets and tighter lender scrutiny now make every risk clause a negotiated position. Jupiter Prime Training runs this course for specialists who carry those positions to the table.

Why Energy Contract Negotiation and Claims Matters Now

Three forces shape this field. Power, oil and gas and renewable developers are signing larger engineering, procurement and construction EPC packages with fewer qualified contractors, which shifts bargaining strength. Supply chains for transformers, turbines and modules have long lead times and fluctuating input costs, so escalation and delay clauses are fought over harder. Lenders and insurers also read the risk matrix before financial close. An owner that negotiates allocation and notice mechanics well limits disputes and protects schedule; one that does not inherits claims it cannot defend. The course draws on the standard forms of the International Federation of Consulting Engineers FIDIC as reference contracts.

Who Gains Most from Energy Contract Negotiation and Claims

- Specialists responsible for drafting and negotiating EPC and turnkey plant agreements
- Specialists responsible for long-term equipment supply and spare parts frameworks
- Specialists responsible for operation, maintenance and field service agreements
- Specialists responsible for preparing, assessing and defending variation and delay claims
- Specialists responsible for tender evaluation and award recommendations on capital packages

A deal team formed of contracts, procurement and project controls staff from one owner or contractor gains most when several of its members attend together, because positions agreed at the table must later survive site reality.

Energy Contract Negotiation and Claims Capabilities

Participants move from mapping bargaining strength to writing clauses and claims that hold up when a project goes wrong.

- Build a negotiation mandate with walk-away points, trade-offs and authority limits — executive approval of the deal
- Weigh risk allocation options for ground conditions, interfaces, escalation and performance — owner and contractor risk appetite
- Specify liquidated damages, caps, warranties and performance test remedies in negotiable terms — lenders and insurers
- Apply concession planning and anchoring tactics during multi-round negotiations — counterpart relationship and price
- Calculate time and cost entitlement using delay analysis and notice records — claim submission or rejection
- Communicate settlement options and escalation routes to sponsors and counterparts — dispute avoidance boards and senior management

Key Energy Contract Negotiation and Claims Terms

- BATNA — the best alternative to a negotiated agreement, the course of action a party takes if talks fail.
- Liquidated damages — a pre-agreed sum payable for a defined breach, usually late completion or shortfall in plant performance.
- Limitation of liability cap — a clause setting the maximum total amount one party can owe the other under the contract.
- Variation — an instructed change to scope, quantity, sequence or specification that may adjust price and completion time.
- Time bar — a contractual deadline for giving notice of a claim, after which entitlement may be lost.
- Concurrent delay — two or more delays, caused by different parties, that affect the completion date during the same period.

Energy Contract Negotiation and Claims Day by Day

Day 1: The Energy Contracting Landscape

- EPC, EPCM and Multi-Contract Structures — Choosing a Procurement Route
- Supply, Service and Long-Term Maintenance Agreements — Matching Contract Type to Asset
- FIDIC Silver, Yellow and Red Books — Selecting a Reference Form
- Project Finance Bankability Requirements — Lender Influence on Terms
- Contractor Market Capacity Assessment — Reading Bargaining Strength

Day 2: Preparing the Negotiation Mandate

- Interest Mapping of Owner, Contractor and Lender — Defining Real Priorities
- BATNA and Reservation Point Setting — Knowing When to Walk Away
- Zone of Possible Agreement Analysis — Sizing the Room for a Deal
- Authority Matrix and Mandate Letter — Controlling Who Can Concede
- Issue Lists and Trade-Off Tables — Ranking Items for Exchange

Day 3: Risk Allocation in Energy Contracts

- Risk Registers Turned into Allocation Matrices — Assigning Each Risk an Owner
- Ground, Site and Interface Risks — Pricing Unforeseen Conditions
- Price Escalation and Indexation Clauses — Sharing Commodity Volatility
- Change in Law and Force Majeure — Relief Versus Compensation
- Insurance Arrangements and Indemnities — Closing Gaps Between Policies

Day 4: Performance, Liability and Security Clauses

- Delay Liquidated Damages Rate Setting — Linking Rate to Revenue Loss
- Performance Undertakings for Output, Heat Rate and Availability — Testing and Remedies
- Liability Caps and Consequential Loss Exclusions — Limiting Total Exposure
- Bonds, Parent Company Security and Retention — Securing Contractor Performance
- Defects Liability and Warranty Periods — Post-Completion Obligations

Day 5: Negotiation Tactics and Concessions

- Anchoring and First Offer Strategy — Framing the Price Range
- Concession Patterns and Packaging — Trading Rather Than Giving Away
- Principled Negotiation Method — Separating People from Positions
- Handling Hardball Tactics and Deadlines — Protecting the Mandate Under Pressure
- Cross-Cultural and Multi-Party Negotiation — Consortium and Joint Venture Dynamics

Day 6: Tender Clarifications and Closing Agreements

- Bid Clarification Meetings and Deviation Lists — Narrowing Contractor Qualifications
- Commercial Evaluation and Normalisation — Comparing Unlike Offers
- Best and Final Offer Rounds — Timing the Last Concessions
- Heads of Terms and Term Sheets — Recording Agreed Positions
- Contract Close-Out Checklists — Signing Without Open Ambiguities

Day 7: Variations and Change Control

- Variation Instruction Procedures — Valuing Instructed Changes
- Value Engineering Proposals — Sharing Savings with Contractors
- Provisional Sums and Contingency Draw-Down — Controlling Unpriced Scope
- Notice Requirements and Time Bars — Preserving Entitlement
- Contemporaneous Records and Site Diaries — Building the Evidence Base

Day 8: Delay and Disruption Claims

- Critical Path Method Schedules — Establishing the Baseline
- Time Impact Analysis and Windows Analysis — Quantifying Extension of Time
- Concurrent Delay and Float Ownership — Apportioning Responsibility
- Prolongation and Disruption Cost Calculation — Pricing Lost Productivity
- Acceleration Instructions and Mitigation — Recovering Schedule at a Cost

Day 9: Claim Resolution and Dispute Avoidance

- Claim Submission Structure and Narrative — Presenting Entitlement Persuasively
- Claim Assessment and Rebuttal Techniques — Testing Contractor Assertions
- Dispute Avoidance and Adjudication Boards — Early Resolution Routes
- Mediation and Settlement Negotiation — Ending Disputes Without Arbitration
- Arbitration Readiness and Cost Exposure — Deciding Whether to Escalate

Day 10: Practising the Negotiation and Claims Brief

- Mandate Building Exercise — Applying Interests, BATNA and Trade-Off Tables
- Risk Matrix Negotiation Role-Play — Applying Allocation and Liability Clauses
- Claim Defence Simulation — Applying Delay Analysis and Notice Records
- Settlement Round Debrief — Applying Concession and Closing Techniques
- Negotiation and Claims Brief — Final Mandate, Clause Positions and Claim Strategy

Applying Energy Contract Negotiation and Claims After the Course

- Rebuild the risk allocation matrix of one live supply or EPC contract and mark each clause to renegotiate at the next amendment.
- Audit notice registers on one active project against the time bars in its contract and close any gaps with the site team.

Energy Contract Negotiation and Claims Questions FAQ

What is energy contract negotiation and claims and why does it matter now?

It is the practice of agreeing risk, price and performance terms in energy contracts and then enforcing or defending them through claims. It matters now because larger projects, scarce contractors and volatile equipment costs make each clause worth more.

Which roles gain most from energy contract negotiation and claims training?

Contracts, commercial and procurement specialists gain most, together with project controls staff who prepare claims. Each shapes positions at the table or proves entitlement later, and the course links both stages.

How does an energy contract negotiation and claims course differ from a general negotiation skills course?

It applies negotiation to the clauses, forms and claim mechanics of energy projects. A general negotiation course teaches tactics in the abstract, while this course ties them to liquidated damages, performance remedies, variations and delay analysis.

What do you bring back from energy contract negotiation and claims training?

You bring back a negotiation and claims brief for one of your contracts. It sets out the mandate, preferred clause positions, concession plan and claim strategy, ready for your next negotiation round or claim review.

Energy Contract Negotiation and Claims: The Way Forward

The negotiation and claims brief first informs which risk positions to defend and which to trade in the next round with a contractor or supplier. Contracts, procurement and project controls specialists use it to align the mandate with site evidence. After its first use, revisit the claim assumptions, because schedule changes and late notices can weaken positions agreed at signing.