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COURSE BROCHURE

# Advanced Contracting and Contract Dispute Resolution Training Course

31 May – 11 June 2027
Munich

# Advanced Contracting and Contract Dispute Resolution Training Course

**Ref:** 134_3538 **Date:** 31 May – 11 June 2027 **Location:** Munich **Fees:** 9500 GBP

Contracting and Contract Dispute Resolution is a 2-week advanced training course for contract managers, legal advisers and claims specialists who must form sound agreements and settle disagreements without losing commercial relationships, and each participant leaves with a dispute avoidance and resolution strategy for a live contract. Disputes on major agreements now absorb senior time, cash and reputation long before any hearing. Jupiter Prime Training runs this course on contracting and contract dispute resolution.

## Why Contracting and Contract Dispute Resolution Matter Now

Three pressures drive the subject today. Counterparties are more willing to formalise disagreements, so notices and claims arrive earlier and in greater volume. Boards and lenders want contingent liabilities reported and resolved quickly rather than carried for years. Contracting chains in construction, energy and outsourced services are longer, so one unresolved disagreement spreads across several tiers. Organisations that draft clear dispute clauses and handle claims with discipline settle on evidence; those that do not drift into costly arbitration with weak records. The course draws on the claims, dispute avoidance and adjudication provisions of International Federation of Consulting Engineers FIDIC forms and on the contract lifecycle of World Commerce & Contracting WorldCC.

## Who Gains Most from Contracting and Contract Dispute Resolution

- Owners of contract formation who negotiate dispute clauses, governing law and forum choices
- Claims specialists who prepare, quantify and defend entitlement submissions
- In-house legal advisers who choose between negotiation, mediation, adjudication and arbitration
- Commercial leads who decide when to settle and how to protect the relationship
- Project directors whose records and correspondence become evidence in a dispute

A legal and commercial function gains most when its counsel, claims and contract staff attend together and agree one escalation and evidence discipline across the portfolio.

## Contracting and Contract Dispute Resolution Capabilities

Participants learn to treat every disagreement as a decision about forum, evidence and settlement value rather than a contest of positions.

- Test offer, acceptance and incorporation of terms in disputed formation — legal counsel
- Specify tiered dispute clauses and forum choices at drafting — negotiation leads
- Build claims submissions linking events, entitlement and quantum — claims reviewers
- Calculate settlement ranges using risk-weighted outcome analysis — commercial directors
- Weigh mediation, expert determination, adjudication and arbitration routes — executive sponsors
- Communicate positions in negotiation and hearings with disciplined evidence — tribunals and counterparties

## Key Contracting and Contract Dispute Resolution Terms

- Tiered dispute clause — a clause requiring negotiation, then mediation or a board, before a binding forum such as arbitration.
- Expert determination — a binding decision on a technical or valuation question by an independent expert chosen by the parties.
- Adjudication — a fast interim decision by an adjudicator or board that binds parties until final resolution.
- Arbitration — a private, final and enforceable resolution of a dispute by one or more arbitrators under agreed rules.
- Quantum — the monetary or time value claimed or awarded once entitlement to relief has been shown.
- Without prejudice — protection that prevents settlement offers and admissions from being used as evidence if talks fail.

## Contracting and Contract Dispute Resolution Day by Day

### Day 1: Sources of Contract Disputes

- Dispute Cause Taxonomy — Separating Scope, Delay, Payment And Quality Disputes
- Contract Chain Mapping — Tracing How Disagreements Pass Between Tiers
- Cost Of Dispute Estimate — Weighing Management Time Against Recovery
- Early Warning Indicators — Spotting Disagreements Before Formal Notice
- Dispute Portfolio Register — Prioritising Live Disagreements By Exposure

### Day 2: Contract Formation and Interpretation

- Offer, Acceptance And Battle Of The Forms — Confirming Which Terms Govern
- Incorporation Of Documents And Order Of Precedence — Resolving Conflicting Provisions
- Interpretation Principles — Reading Ambiguous Clauses Consistently
- Implied Terms And Good Faith Arguments — Assessing Their Strength
- Entire Agreement And Variation Clauses — Controlling Later Side Agreements

## Day 3: Drafting Dispute Clauses

- Governing Law And Jurisdiction Choices — Matching Forum To Enforcement Needs
- Tiered Escalation Clause Drafting — Setting Steps And Time Limits
- Dispute Avoidance Board Provisions — Deciding When Standing Boards Pay Off
- Arbitration Agreement Elements — Seat, Rules, Language And Tribunal Size
- Carve-Outs For Urgent Relief — Preserving Access To Interim Measures

## Day 4: Notices and Claims Preparation

- Notice Requirements And Condition Precedent Wording — Preserving Entitlement
- Contemporaneous Records Strategy — Building Evidence While Events Unfold
- Claims Narrative Structure — Linking Event, Clause And Consequence
- Delay Analysis Method Selection — Choosing Evidence Suited To Records
- Disruption And Loss Of Productivity Claims — Showing Causation Credibly

## Day 5: Quantum and Evaluation of Claims

- Heads Of Claim Breakdown — Separating Direct Cost, Overheads And Profit
- Prolongation Cost Assessment — Valuing Time-Related Resources
- Global Claims Risks — Deciding When Apportionment Is Required
- Defence And Counter-Claim Assessment — Testing The Other Side's Quantum
- Risk-Weighted Outcome Model — Setting Realistic Settlement Ranges

## Day 6: Negotiation of Contract Disputes

- Interest-Based Negotiation Planning — Separating Positions From Underlying Needs
- Best Alternative Analysis — Defining Walk-Away Points Before Talks
- Without Prejudice Correspondence — Protecting Offers And Concessions
- Settlement Agreement Drafting — Closing All Related Claims Cleanly
- Relationship Preservation Tactics — Keeping Ongoing Contracts Performing

## Day 7: Mediation and Expert Determination

- Mediation Process Design — Choosing Facilitative Or Evaluative Approaches
- Mediator Selection And Briefing — Matching Expertise To Dispute Type
- Position Papers For Mediation — Presenting Risk Without Hardening Positions
- Expert Determination Scope — Framing Technical And Valuation Questions
- Challenging Expert Decisions — Knowing The Limited Grounds Available

## Day 8: Adjudication and Dispute Boards

- Adjudication Referral Preparation — Framing The Dispute And Remedy Sought
- Dispute Board Operation Under FIDIC Forms — Using Site Visits And Opinions
- Response And Reply Submissions — Meeting Tight Procedural Timetables
- Enforcing Or Resisting Interim Decisions — Managing Cash Flow Consequences
- Notices Of Dissatisfaction — Preserving Rights To Final Resolution

## Day 9: Arbitration Strategy and Procedure

- Tribunal Constitution And Arbitrator Selection — Balancing Expertise And Neutrality
- Statements Of Case And Document Production — Controlling Disclosure Scope
- Witness And Expert Evidence Preparation — Testing Credibility Before Hearing
- Hearing Advocacy And Cross-Examination Basics — Supporting External Counsel
- Award Enforcement And Costs Recovery — Assessing Realistic Net Outcome

## Day 10: Practising the Dispute Avoidance and Resolution Strategy

- Formation And Clause Health Check On A Live Contract — Exposing Weak Points
- Claims Position Assessment — Confirming Entitlement, Evidence And Quantum
- Forum Selection Decision Tree — Choosing The Route For Each Disagreement
- Negotiation Mandate And Settlement Authority — Agreeing Limits With Sponsors
- Dispute Avoidance And Resolution Strategy — Presenting The Strategy For Challenge

## Applying Contracting and Contract Dispute Resolution After the Course

- Review the dispute clauses of the three highest-value agreements and propose tiered escalation wording for their next amendment or renewal.
- Run a risk-weighted outcome assessment on one live claim and present a settlement range and mandate to the commercial director.

## Contracting and Contract Dispute Resolution Questions FAQ

### What is contracting and contract dispute resolution, and why does it matter now?

Contracting and contract dispute resolution covers forming agreements with clear dispute clauses and resolving disagreements through negotiation, mediation, expert determination, adjudication or arbitration. It matters now because claims arrive earlier and in greater volume, and boards expect contingent liabilities to be settled on evidence rather than carried for years.

### Which roles gain most from contracting and contract dispute resolution training?

Contract managers, claims specialists and in-house legal advisers gain most, because they draft dispute clauses, prepare submissions and choose the forum. Commercial leads who authorise settlements and project directors whose records become evidence also benefit from the same discipline.

### How does contracting and contract dispute resolution training differ from a general contract administration course?

It concentrates on formation risks, claims quantum and the choice and conduct of each resolution forum. A contract administration course covers day-to-day performance, payments and change; this course starts where disagreement begins and follows it to settlement or award.

## What do you bring back from contracting and contract dispute resolution training?

You bring back a dispute avoidance and resolution strategy for one of your own contracts, covering clause risks, claims position, forum choice and settlement authority. Your legal and commercial colleagues can apply the same structure to other live disagreements.

## Contracting and Contract Dispute Resolution: The Way Forward

The dispute avoidance and resolution strategy first informs whether a live disagreement should be negotiated, referred to a board or prepared for arbitration. Counsel, claims specialists and commercial directors share it as the single statement of position. After its first use, revisit the settlement range and evidence gaps, because the counterparty's response usually shows which assumptions were too optimistic.