

## DAY 1

### *Types and Management of Risk*

- The Need for Contractual Relationships
- Defining Risk
- Categories of Risk for Both Sides of a Contract
- Risk Assessment Processes
- Managing Risk Before and During the Contract
- Qualifying Suppliers
- Negotiating Terms that Carry Risk
- Internal Control and its Proportionality

## DAY 2

### *Minimizing and Transferring Risk*

- Transferring Risk through Contract Types
- Firm Fixed Price or Lump Sum Contracts
- Cost Reimbursable Contracts
- Incentive Contracts
- Award-Fee Pricing Arrangements
- Terms, Conditions and Warranties
- Indemnities and Cross Indemnities
- Insurance and Guarantees

## DAY 3

### *Risk Related Terms & Conditions in a post-Pandemic World*

- External Events
- Force Majeure
- Strikes and Other Labour Disputes
- Risk and Title
- Use of ICC Incoterms
- Assignment, Novation and Re-Negotiation
- Other Clauses that Need to Flow Down to Sub-contractors
- Risks Associated with Sub-Contractors

## DAY 4

### *Dealing with Financial Risks*

- Controlling Risk Associated with Payments
- Currency Risk
- Economic Risk
- Fraud and Corruption
- Limiting or Excluding Liability
- Distinctions between Liability in Contract, and the General Law
- Gross Negligence

## DAY 5

### *Remedies When Bad Stuff Happens*

- The nature of contractual remedies generally
- Mistakes and Misrepresentations
- Impracticability of Performance
- Types of Remedies
- Liquidated Damages
- Warranties
- An Overarching View of Dispute Resolution
- Review of Course, Questions and Answer Session