

Commercial Competence



Commercial Competence XSeries is an ECITB-approved Elearning program aimed at improving commercial outcomes in projects through a greater understanding of change, its potential impact on projects, and how to best manage the contractual and relational aspects of this.



Engineering and construction projects suffer from “events”, that make changes to what was originally planned. It is not the occurrence of these events that is the problem, it is the way in which they are managed. And rather than being resolved properly and expediently, often they are not. This leads to dissatisfaction by one or both parties that progressively corrodes the relationship which ultimately may lead to dispute.

Responding effectively to project events requires an understanding of contractual and relational elements. With our Commercial Competence XSeries we have brought together four of our elearning courses that cover the project critical topics such as change, claims, stakeholder management and negotiations – giving you a holistic program of learning based on critical issues universal to all projects.

“Some degree of change is inevitable, especially on megaprojects, as employers redefine their requirements, or unexpected ground conditions necessitate scope and design changes. By now, the industry should be more adept at managing this process...”

CRUX INSIGHT 6TH ANNUAL REPORT – “FOREWARNED IS FOREARMED”

Foundations in Stakeholder Management

The Foundations in Stakeholder Management course introduces the project management processes of identification and analysis for planning stakeholder management strategies critical to project outcomes.

It is designed to raise the awareness of aspiring project managers and key project team members to build and manage the most critical relationships on the projects.

Stakeholder relationships do not exist in isolation but within a social and business context, which is why this course brings the theory of stakeholder management into industry-specific case studies and scenarios.

Learning aims:

- What is a stakeholder?
- How to identify, analyse and evaluate the needs of stakeholders
- Understand the purpose of, and be able to develop a stakeholder management plan
- How to prepare for, conduct, and document meetings
- Manage stakeholder relationships

“Stakeholder relationships will always have an impact on your projects. If you invest your time in these from the outset, it can only be of benefit when the bumps in the road emerge”

CARL HAYNES, KINGSFIELD ACADEMY

Change, Claim and Time Essentials

The Change, Claim and Time Essentials Elearning is a foundation course that provides essential knowledge of how to influence commercially successful project outcomes through the timely management of the impacts of project change.

This course provides learners with a greater understanding of the key factors in executing EPC (engineering, procurement, construction) contracts enabling them to better influence commercially successful project outcomes.

With a specific focus on engineering and construction projects, the Change, Claim and Time Essentials is relevant to Employer/Investor, Contractor or Vendor organisations and provides insights into what to do when a change event impacts project costs and schedule, the difference between change orders and claims, identifying when an extension of time award is due, and the factors and steps involved in a successful claim.

Learning aims

- Identify the important/key factors in executing EPC (engineering, procurement, construction)
- Contracts that can influence commercially successful outcomes on projects
- Define change on projects
- Recognise common sources of change on projects
- Identify contractually compliant strategies to manage the cost and time impact of change events
- Explain the necessary conditions for extension of time (EOT) claims
- Follow clearly defined steps in planning the recovery of cost and time

“Great insight into contract management and the basis on which to make clear claims”

LEARNER FEEDBACK

Engineering Construction Claims Tool

The Engineering Construction Claims Tool Elearning course provides an essential “7 Key Factors” framework to guide you in preparing or defending an engineering construction claim.

Claims and changes are often an inevitable part of project execution, repeatedly leading to conflict between the parties who should work hard to achieve negotiated settlements in order to avoid costly legal disputes. However, any major change or claim that cannot be settled may eventually result in arbitration or litigation.

Kingsfield Academy's 7 Key Factors framework establishes the burden of proof criteria that support claim settlement.

With a specific focus on engineering and construction projects, the Claims Tool guides you through the process of preparing or defending an engineering construction claim.

The framework was developed in Kingsfield's own consulting practice and has been applied successfully many times while assisting our clients in resolving difficult commercial issues on international projects.

Learning aims:

- Understand what makes for an effective claim or change order
- Establish burden of proof criteria based on Kingsfield Academy's "7 Key Factors" framework
- Produce a claim that stands up to challenge and can't be easily rejected by the recipient
- Know what objective criteria to apply in order to test the legitimacy of a claim
- Confidently engage on claims and changes with your contracting partners during the project execution phase, thereby avoiding costly disputes

“The 7 Key Factors framework is relevant to all situations where a project party seeks compensation for the impact of a change or claims event

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LEARNER FEEDBACK

Negotiation Essentials

Negotiation Essentials provides the key negotiation principles needed to develop a foundation level understanding of the skills and strategies effective in negotiation exchanges.

In many projects, parties across all levels of the supply chain are often motivated by differing interests, meaning the probability of conflict leading to potential dispute can be high. Being able to formulate and reach agreement on solutions that are both commercially acceptable and can maintain (if not strengthen) existing relationships are often essential for project success.

It is imperative therefore that those with the responsibility for managing these relationships are skilled in the strategies, tools and behaviours needed to navigate these interactions.

This course provides the essential negotiation concepts and communication principles to help you to better prepare, engage, exchange and close out negotiations that result in mutually beneficial settlements that support better business relationships, which ultimately could be the difference between failed expectations or success on projects.

Learning aims:

- Understand the key principles for reaching agreements in negotiations or knowing when it is time to stop negotiations
- Understand interest-based negotiations for reaching negotiated agreements
- Understand effective communication behaviours and techniques to be applied in negotiations

“Like it or not, you are a negotiator. Negotiation is a fact of life. Although negotiation takes place every day, it is not easy to do well”

FISHER.R & URY.W – “GETTING TO YES”



Who should attend this training and what will you learn?

The Commercial Competence XSeries provides key information and tools aimed at helping you to better manage the commercial expectations on your projects. The Program considers stakeholder relationships and the contracts that govern these with a view to proactively manage change events and the claims that may arise.

Touching on stakeholder management, change and claim management, and negotiation skills, the Program provides a holistic approach to managing the aspects of projects that often lead to costly disputes.

Course details

- Self-directed Elearning
- 24/7 availability
- Program 8-10 hrs duration (each course 2-3 hours)
- Course downloads
- Videos, quizzes & scenarios
- Completion certificate

Industry context

- E&C industry focus
- Project examples & case studies
- Industry expert trainers

Suitable For:

- Project Teams
- Project Managers
- Engineering Managers

“Disputes occur consistently due to participants’ failure to understand contract requirements related to the design and execution of the work along with the provisions related to the preparation and submittal of claims”

ROY COOPER. SNR. VICE PRESIDENT. ARCADIS