

# Workshop on Contract Management in Public Procurement

Changes to Existing Contracts and Avoiding the Need for a New Tender

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## Introduction

The Multilateral Development Banks, led by the World Bank are introducing changes to modernize their procurement practices with more robust strategic planning, more choice of procurement options and a greater focus on value for money and fit for purpose solutions. The changing economic needs of parties over the duration of long term projects need to be reflected in mechanisms to change existing contracts without having to revert to new procurement processing. This requires a both careful appraisal and management of risk apportionment at the outset of the procurement process and the ability to deliver change without fracturing party relationships to the cost of both.

Using the Harvard Study Method of a rolling worked problem, this GLOMACS workshop will feature a comprehensive best practice understanding of:

- How to undertake contract change both before and after procurement of equipment and works
- How to manage and reduce cost and risk
- The mechanics of change in standard form contracts
- How to preserve project budgets
- Meeting the challenge of re-programming

## Objectives

By the end of this GLOMACS workshop, participants will be able to :

- Develop a procurement strategy which accepts the need for potential contract change
- Avoid conflict in change management
- Appraise what is required to measure and deal with risk management
- Select the optimal procurement arrangements
- Develop a contract management plan

## Who Should attend

This GLOMACS' Contract Management in Public Procurement workshop is suitable to a wide range of professionals but will greatly benefit those who need a sound working knowledge of the new Procurement Frameworks of the World Bank and African Development Bank, including the personnel of European Agencies & Institutions, Government Offices & Agencies, International Organisations, Universities & Research Institutes, etc.

- Project Managers and Team Leaders that need to understand strategic procurement planning
- Technical Specialists such as Engineers involved in procurement
- Professionals that need to understand the new approach to procurement financed by Development organizations
- Procurement Professionals that need to understand a best practice approach to procurement

## Training Methodology

This GLOMACS Workshop on Contract Management in Public Procurement will utilise a variety of proven adult learning techniques to ensure maximum understanding, comprehension and retention of the information presented, but will be built around a continuous and developing problem to be the subject of pre-reading, group and plenary discussion and drafting.

## The Workshop Content

### Contract Change Risk and Strategic Procurement in the Context of World Bank Financed Projects

- Introduction to Strategic procurement in the World Bank context
- Contextualising the problem of contract change and analysing risk in contracting
- Standard form contracting as a response to meeting risk
- Risk analysis from Operating context, supply market and previous experience
- Options to manage supply risks through the procurement arrangements
- Organizational needs and Legal requirements

### Using the Contract to Facilitate Change

- Contract terms restricting change and Deemed to know provisions
- Assignment, alienation of rights and sub-contracts, Force majeure and Frustration
- Contract terms used as a vehicle for change: Variations Clauses, Change Orders and Notices
- Contract and Risk Management Plans: Linking needs to specifications, evaluation criteria and KPIs
- Measuring the impact of change
- Summary and key learning



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