

Commercial Awareness for Engineers/Project Staff

Overview

The course is designed principally to provide none commercial delegate (engineers, project and business development staff) with an appreciation of Contract law, Contracting terms (with specific emphasis on contracting with the UK MoD), Protection of information and Selling overseas.

A combination of advanced presentation techniques and informal delegate instructor interaction are used to facilitate this workshop based event.

Target Audience

The course is designed principally to provide none commercial delegate (engineers and project staff) with an appreciation of Contract Law with specific emphasis on contracting with the UK MoD.

This course is ideal for personnel within a customer facing defence sector organisation that are involved with or about to become involved in a defence sector commercial venture. It details the pitfalls associated with contract terminology and gives an overview of protection of information and selling overseas including export controls and ITAR.

Objectives and Utility

On completion of this training course the delegate will appreciate the need for contractual controls and will have a better understanding of there relevance and how they can be applied. They will have gained an understanding of the terminology, technical and procedural issues pertaining to contracting within an acquisition programme and they will be more commercially aware.

The delegate will benefit professionally from the knowledge which has been given. The sponsoring organisation gains personnel who are confident and competent and who are more knowledge about procurement form a commercial perspective. The individual is better equipped for their role and they will have undergone a degree of personal development through the expansion of their knowledge base.

The Training Process

The course establishes the basic principles and terminology of the contracting process with respect to a Defence Sector procurement exercise. The course covers all the key components, constructs and methodologies associated with any commercial procurement venture.

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Course Programme

Day 01 - AM

710-P Basic Contract Law

At the conclusion of this module the delegate will understand:

Contract Formation - Examines the key elements required to create a legally binding agreement, the use of and issues arising from standard forms of sale and purchase to ensure that commitments are not entered into inadvertently and to understand where they stand in the process of offer and acceptance
Contracting with MoD – their authority to commit, relationship with industry and the use of standard terms and conditions
Change Management – recognizing changes to a contracted requirement and to properly implement those changes

711-P Key MoD Contracting Terms

By the end of this module the delegate will be able to identify the key principles associated with:

Pricing and Post Costing – the conventions of competitive and non competitive pricing, pricing conditions and their implications for post costing of contracts based on the principles of equality of information. The principles of More Effective Contracting and Earned value management
Payment arrangements with the aim of optimising cash flow
Delivery and Acceptance - ensuring clarity on these requirements to reduce programme and financial risk
Performance –examines the consequences of non performance –liquidated damages, force majeure and default
Termination – what happens if the Customer should terminate whole or part of your contract for convenience
Warranties and Liabilities – looking at the importance of identifying risk up front and the strategies to limit liabilities

Day 01 - PM

712-P Protection of Information

From this module the delegate will be able to understand the key principles associated with:

Intellectual Property – identifying key forms of intellectual property and the rights of the Contractor and the Customer in IP developed under a contract. The emphasis is on developing an understanding of the importance of identifying, marking and protecting IP as soon as it is created
Confidentiality Agreements - understanding the obligations and liabilities within a Confidentiality agreement for those people actually receiving and handling proprietary information
Freedom of Information Act - examines briefly the principles and the arrangements with MoD regarding the release of information relating to your company

713-P Selling Overseas

This module will allow the delegate to explain the key principles associated with:

UK Export Controls – to ensure that employees do not act illegally nor make significant investment in overseas opportunities without understanding the restrictions and obligations of export control requirement relating to both hardware and the export of technology
Working with USA ITAR and TAAS - to ensure that US export control requirements are understood and accounted for at the earliest stages in a project requiring the use of protected data or hardware from the USA to prevent delays and liabilities.

714-P Commercial Awareness Summary

This module summarises to the delegate the key principles and over arching factors associated with Commercial Awareness, when and why they should take commercial advice with the aim of improving project profitability and timeliness.