



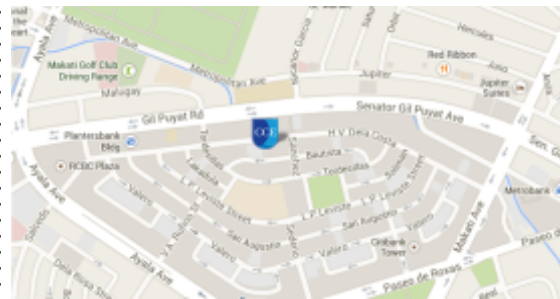
## Legal Aspects in Procurement and Contract Management

### Package inclusions:

- Program fee
- Training kit
- AM/PM snacks
- Lunch
- Certificate of course completion

### Venue:

Ateneo de Manila University - Salcedo Campus  
3/F Ateneo Professional Schools Bldg.,  
130 H.V. Dela Costa St., Salcedo Village,  
Makati City, Philippines



### DATES

September 16 - 17, 2019  
Monday - Tuesday  
8:30 am - 4:30 pm

### PROGRAM FEE

Php 11,800.00 (Early Eagle Rate until Sept. 2)  
Php 12,800.00 (Regular Rate)

### HOW TO REGISTER Online

[www.cce.ateneo.edu](http://www.cce.ateneo.edu)

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ATENEO DE MANILA UNIVERSITY  
GRADUATE SCHOOL OF BUSINESS



technology, quality & operations management

# Legal Aspects in Procurement and Contract Management

September 16 - 17, 2019

 CENTER FOR CONTINUING EDUCATION

**Legal Aspects in Procurement and Contract Management** is a two-day course developed specifically for purchasing and supply management practitioners to familiarize you with the legal aspects affecting the purchasing function. It will enhance your skills in drafting various procurement contracts and in the administration of these contracts.

As a purchasing and supply management professional, you need to have a working knowledge of contract law and contract administration. You need to know your rights, responsibilities, and obligations to protect your companies from risks arising transactions.

## Legal Aspects in Procurement and Contract Management

### objectives

After the course, you will:

1. Define and understand the various legal systems affecting local and international procurement contracts;
2. Define and understand the buyer's and seller's obligations and rights under different types of procurement contracts;
3. Have a working knowledge of the provisions in the Law on Agency and the Law on Contracts which are essential to contract formation and administration;
4. Understand the issues relating to preparing a contract and highlight the factors that makes a good contract;
5. Identify and understand the key clauses that relate to the various types of contracts;
6. Define and comprehend the clauses relating to contractual default and how to apply the different dispute resolution methods;
7. Have a working knowledge of international commercial terms used in the shipping of purchased goods, and commodities in relation to transfer of cost and transfer of risk;
8. Develop a working knowledge in preparing a formal contract management plan and the appropriate approaches to contract implementation and monitoring;
9. Learn how to identify, assess, and mitigate risks in the implementation and administration of procurement contracts;
10. Define and understand the factors that would avoid contract mismanagement; and
11. Understand the methods of terminating procurement contracts for goods and services.

### who should attend

Personnel involved in procurement, demand and replenishment, logistics operation and customer service functions of supply chain management.



### resource person

**MR. RAMON R. GUEVARA, CPM, DSM** has more than 50 years of experience in the purchasing and supply management profession. Currently, he is an international lecturer on supply management in Vietnam, Singapore, Malaysia, and Hongkong. He is also a facilitator and Supply Management Consultant for the PISM and Ateneo Graduate School of Business – Center for Continuing Education. He is also a Member of the Board of Trustees of the Foundation of the Society of Fellows in Supply Management.

He has worked with Filoil Refinery Corporation, U.S. Federal Government, and the International Rice Research Institute both here and abroad holding various managerial and executive positions in the areas of purchasing, inventory management, warehousing, transportation, and other logistics operations including customer service. He was also the former President of the Philippine Institute for Supply Management (PISM). He was awarded the Gawad Sinop Thropy by the Society of Fellow in Supply Management and the PISM as the Most Outstanding Purchasing and Materials Management Practitioner.

Mr. Guevara obtained his Bachelor's and Master's degrees from Mapua Graduate School and his Certified Purchasing Manager (CPM) Certification from the National Association of Purchasing Management in Flint, Michigan, USA.

### program content

- I. Origin of Laws**
  - A. Principal sources of law
  - B. Different legal systems in international contracts
- II. Procurement Contracts**
  - A. Importance of a contract
  - B. Contract definition
  - C. Elements of a contract for it to be valid and enforceable
  - D. Classifications of a contract
  - E. Important civil code provisions on contracts
  - F. Basic considerations in contracting
  - G. The process of contract formation
- III. Law on Agency**
  - A. Definition of agency
  - B. Types of authority
  - C. Duties and responsibilities of an agent
- IV. Law on contracts and obligations**
  - A. Obligations arising from contracts
  - B. Rules on fraud and other practices
  - C. Extinguishment of obligations
  - D. Breach of contract
  - E. Defense to performance by either party
  - F. General provisions of damages
  - G. How to avoid contractual default
  - H. Methods of settling contract disputes
- V. Applicable Incoterms (International Commercial Terms)**
  - A. What are Incoterms?
  - B. Purposes of Incoterms
  - C. Responsibilities of buyers and sellers
  - D. Transfer of risks
  - E. Transfer of loss
  - F. Transfer of ownership
  - G. Common Incoterms used in procurement contracts
- VI. Contract preparation**
  - A. Major issues in preparing contracts
  - B. What makes a good contract?
  - C. Types of contracts
  - D. Applicable laws
  - E. Selecting the right Incoterms
  - F. Applicable clauses to be included in each type of contracts
- VII. Contract administration**
  - A. Goals of contract management
  - B. Factors required for a formal contract management plan and the appropriate approaches to contract management
  - C. Issues on contract completion and contract termination
  - D. Factors that would avoid contract mismanagement
  - E. Conditions affecting the success of a service contract
- VIII. Case Study Workshop on Procurement Contracts**