



विद्याविनियोगाद्विकासः

Executive Education

INDIAN INSTITUTE *of* MANAGEMENT AHMEDABAD



Contract Management

October 14 – 18, 2024

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PROGRAMME OVERVIEW

Businesses happen through domestic and international contracts. Contracts can be public or private; consumer or B2B; for sale or service; short term or long term; vertical or horizontal; and online or of line. A company or government undertaking has hundreds of vendors, suppliers, importers and service providers, it contracts with. A business entity contracts with business partners, associates, distributors and exporters for selling its goods and services. The government does infrastructure development, including highways, electricity, telecommunications, airports, mines and minerals, and railways through tender and award of contracts.

In contracting, several practices are converging. One, the businesses are now marked by specialization, outsourcing and integration. This has led to a business entity getting into numerous and different kinds of contracts. Managers are mostly managing contracts. Two, for each kind of business activity, standard contract terms have emerged, called the General Conditions of Contract (GCC). This has brought efficiencies by reducing the transaction costs but also led to 'take-it-or-leave it' approach to business. Three, the electronic medium has greatly facilitated contracting through exchange of emails, online platforms, e-stores, e-auction and e-tender. Four, computer software is automating contracting itself between business partners. The digital medium, however, has also exponentially increased the risk and liabilities arising from inadvertent mistakes.

Success of a business depends on the capacity of its executives to resourcefully perform contracts. This brings efficiencies, enhances quality, expedites projects and saves resources. On the other hand, contract failures lead to financial losses, delays, disruption of work, initiation of arbitration and litigation, loss of reputation, and other direct and consequential losses.



OBJECTIVES

A contract is formed on the standard contract terms or the General Conditions of Contract (GCC) by exchange of communications, auction or tender. The terms of the contract set the rights, duties and obligations of the parties. An integral part of managing the contract is negotiating the terms of the contract and performing the duties and obligations under the contract. The terms of GCC are legal and technical in nature and mostly inaccessible to managers. The objective of the programme is to develop a comprehensive understanding of the meaning and scope of the terms of the contract and make the terms readily accessible.

PROGRAMME HIGHLIGHTS

The programme will cover the following themes and contract terms:



Formation of contract.



Standard bid documents, tender and award of tenders.



Online and digital contracts.



Breach and termination of contract.



Impossibility of performance (force majeure clause).



Forfeitures, loss and damages.



Delays and liquidated damages.



Risk, loss and indemnities.



Condition, warranty, merchantability and quality of goods.



Transportation, delivery, and Incoterms.



Letters of credit, bank guarantee, and performance guarantee.



Jurisdiction of courts, arbitration and dispute resolution.



Confidentiality clauses and exemption/exclusion clauses.



PEDAGOGY

The programme will employ a mix of case studies and discussion, participatory exercises, and lectures.

WHO SHOULD ATTEND

The programme is intended for all levels of managers, in the private and public sector organizations, in the departments including procurement, inventories, production, distribution, marketing, advertising, sales, finance, logistics and information systems. The sectors of industry are all inclusive, to illustrate, oil and natural gas, petroleum products, power, electricity, telecommunications, real estate, banking, construction, engineering goods, electronic goods, automobile manufacturing, consumer durables, drugs and pharmaceuticals, chemicals, cosmetics, aviation, broadcasting, healthcare, entertainment, transportation, and ports and infrastructure development.



Faculty

Prof. Akhileshwar Pathak (Faculty Co-Chair)

PhD (Edinburgh)

Email: akhil@iima.ac.in

Phone: 079 7152 4943

Akhileshwar Pathak is Professor at the Indian Institute of Management (IIM) Ahmedabad. An alumnus of St. Stephen's College and Campus Law Centre, University of Delhi, Professor Pathak did his PhD in law from the University of Edinburgh, UK. He has been teaching students of management, and training executives for the past 28 years. He specialises in the field of contract law. His books on the subject include: Contract Management (2009); Contract Law (2011); Law of Sale of Goods (2013); Business Taxation (2013); Law Relating to Special Contracts (2013); Law of Sale, Lease and Mortgage (2017); Contract Terms Are Common Sense (2018); Legal Aspects of Business (edition 8) (2022); and Business Lawsuits and Disputes (2022).



Faculty

Prof. M P Ram Mohan (Faculty Co-Chair)

Ph.D. Indian Institute of Technology, Kharagpur

Email: mpramohan@iima.ac.in

Phone: 079 7152 4956

M P Ram Mohan is Professor of Law at the strategy area of the Indian Institute of Management Ahmedabad (IIMA). His teaching and research covers contracts, companies, and insolvency laws and he has written extensively in these areas. He is directing a number of projects including Restatement of Indian Contract Law; Insolvency Laws; and Organisations and Corporate Purpose. As a faculty chair, he directs the Sarabhai Management Development Program for the senior officers of the Department of Atomic Energy; Tata Lawyers Program for Chief Legal Officers; and Management Development Program for Insolvency Professionals.



Guest Faculty would include a banker specialising in letters of credit.



TESTIMONIALS

Mahesh Sharma

Manager, PDCOR Limited

I am thankful to Prof. Pathak for strengthening my understanding of various terms of contract and their implications which have helped me look at the contractual documents in a more effective way. The course has provided me insights into contract management, agreements and business relationships.

Amit Verma

Senior Manager - Contracts & Procurement,
Petronet LNG Limited

I found the programme to be very effective and well-managed. The course imparted valuable insights into managing contracts which can be of complex nature at times. In a highly interactive experience, I learned about the nuances of contract drafting, reviewing and vetting in order to minimise organisational risks.

D. Lucius

Deputy General Manager,
Power Grid Corporation of India Limited

The programme is extremely beneficial in providing the essentials of contract management. I gained a good understanding of contracts and negotiations, and learned about how a contract can be read and interpreted in terms of financial and operational performance. I particularly gained on repudiator breach, force majeure, termination, indemnity, warranty, guarantee, etc. Professor Pathak has been excellent to guide on all points.

HOW TO APPLY

To register for the programme, fill in the application form through the link below:

<https://bit.ly/45teSgD>

The closing date for receiving applications is **September 30, 2024**. All applications are subject to review and approval by the programme faculty (usually after the due date for receiving applications). A formal acceptance letter will be sent to the selected candidates. Applicants are requested to make their travel plans only after receiving the acceptance letter.

For more information, please write to us at exed@iima.ac.in or call at +91 79 7152 6400.

CERTIFICATION

A Certificate of Participation will be issued to the participants at the end of the programme, subject to their having attended all the sessions of the programme. Absence from any session needs to be with the prior approval of the Programme Faculty Chair.

VENUE & ACCOMMODATION

The programme will be held at the Indian Institute of Management Ahmedabad. Participants would get full board and air-conditioned single room accommodation either on campus or with empanelled hotel partner.

IIMA norms do not allow participants to have guests staying with them during the programme.

PROGRAMME FEE AND PAYMENT

INR 2,00,000 plus GST per person for participants from India and its equivalent in US Dollars for participants from other countries. The fee includes tuition fee, programme materials, boarding and lodging.

The programme fee along with the application form should be received by the Executive Education Office latest by **September 30, 2024**. In case of cancellations, the fee will be refunded only if a request is received at least 15 days prior to the start of the programme. If an application is not accepted, the fee will be refunded to the person/organisation concerned.

Programme dates and fee are subject to change at the discretion of the Institute.

[A] Electronic Fund Transfer

1. Name of Beneficiary: **Indian Institute of Management Ahmedabad**

2. Savings Bank A/c **IIMAHMOEP**

HDFC Bank Limited, Ahmedabad Vastrapur Branch (IFSC Code: HDFC0000048, MICR Code: 380240003)

3. Name of Remitter: _____ (Please mention the name of the sponsoring organization)

4. Purpose of Remittance: **Contract Management**

5. IIMA Permanent Account Number (PAN): AAAT11247F

6. IIMA Tax Deduction Account Number (TAN): AHMI00189A

7. IIMA GST Registration Number: 24AAAT11247F1Z4 (SAC: 999293)

After making the payment, please email us the complete transaction details so that we can link your remittance with your nomination.

[B] Payment Gateway

For more information, please visit the respective programme on our website:

<https://bit.ly/3XpKTV6>

DISCOUNT

Early Bird Discount: Applications received with payments on or before **September 23, 2024** will be entitled to an early bird discount of 7%. Early submission of fee and application does not, however, guarantee acceptance of the application.

Group Discount: Any organisation sponsoring four or more participants will be entitled to a discount of 7% on the total fee payable provided that at least four participants actually attend the programme. Organisations can avail themselves of both the discounts subject to a maximum overall discount of 10%.

Any organisation sponsoring 25 or more participants across all the programmes in one academic year will be entitled to an overall discount of 15% on the programme fee payable.

The above discounts will be applicable only when the requisite numbers of participants actually attend the programmes.

Programme dates and fee are subject to change at the discretion of the Institute.

Indian Institute of Management Ahmedabad (IIMA)

IIMA was set up by the Government of India in collaboration with the Government of Gujarat and Indian industry as an autonomous institution in 1961. The Institute provides education, training, consulting and research facilities in management.

IIMA Alumni Association

Participants who are attending short-duration Executive Education Programmes for the first time, on or after April 1, 2012, will have to attend for a total of 21 days in one or more programmes in order to be eligible for alumni status and alumni identity card, both of which will be awarded on the payment of a one-time alumni fee of INR 10,000/- + GST.

Major Programmes Offered by IIMA

- Two-Year Post Graduate Programme in Management (MBA)
- Two-Year Post Graduate Programme in Food and Agri-business Management (MBA- FABM)
- Ph.D. Programme in Management
- One-Year Full Time Post Graduate Programme in Management for Executives (MBA- PGPX)
- Executive Education offers short duration programmes through open enrollment, customisation and online for various levels of experienced professionals across industry
- Faculty Development Programme (FDP)
- Armed Force Programme (AFP)
- Online MBA
- ePost Graduate Diploma in Advanced Business Analytics (ePGD-ABA)

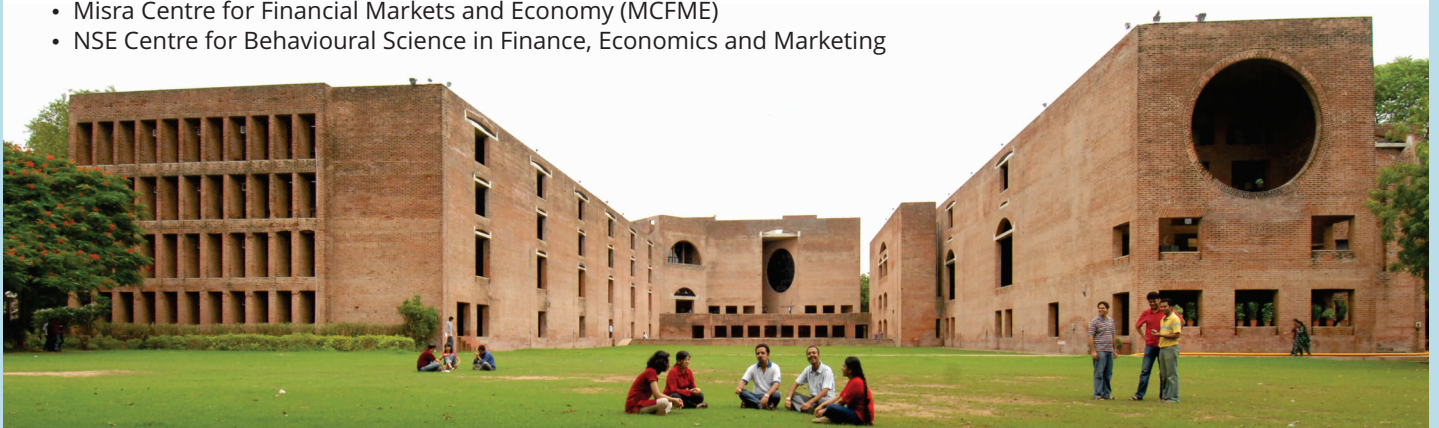
The Institute has 100 plus faculty members working in the following management areas and centres:

Disciplinary Areas and Groups

- Centre for Management in Agriculture (CMA)
- Communication
- Economics
- Finance and Accounting
- Human Resources Management
- Information Systems
- Marketing
- Organizational Behaviour
- Operations and Decision Sciences
- Public Systems Group
- Ravi J. Matthai Centre For Educational Innovation (RJMCEI)
- Strategy

Interdisciplinary Centres

- Arun Duggal ESG Centre for Research & Innovation
- Ashank Desai Centre on Leadership and Organisational Development
- Brij Disa Centre for Data Science and Artificial Intelligence
- Centre for Digital Transformation
- Centre for Innovation Incubation & Entrepreneurship (CIIE)
- Centre for Management of Health Services (CMHS)
- Centre for Transportation and Logistics
- Gender Centre
- India Gold Policy Centre (IGPC)
- JSW School of Public Policy
- Misra Centre for Financial Markets and Economy (MCFME)
- NSE Centre for Behavioural Science in Finance, Economics and Marketing



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