

CONTRACT COMPLIANCE, PERFORMANCE MONITORING, AND DISPUTE RESOLUTION FOR PPP PROJECTS

A TRAINING COURSE

Washington, DC
September 8-19, 2008



ALL COURSE PARTICIPANTS RECEIVE A LAPTOP COMPUTER!

COURSE HIGHLIGHTS:

- Learn how to design and negotiate contracts that include comprehensive technical and financial monitoring and reporting requirements
- Learn how to organize, manage, and staff a contract compliance office or unit
- Learn from case study experiences what makes contracts succeed or fail, and how to renegotiate when problems occur
- Understand how to draft alternative dispute resolution (ADR) provisions into contracts
- Participate in a simulated monitoring and renegotiation exercise which will draw upon all relevant issues: technical and financial performance analysis, stakeholder communication, public relations, and penalty assessments
- Develop your own *Contract Compliance Action Plan* for implementation in your work setting
- Use your new laptop computer for Internet research, access to course materials during and after the course, case study analysis, simulation exercises, and to create your own *Action Plan*
- Network and build relationships with contract compliance officers, institutional investors, international attorneys and policy-makers

REGISTER ONLINE!

www.ip3.org

“The successful monitoring, and in some cases, renegotiation, of PPP contracts is more critical than ever as stakeholders continue to demand greater results, accountability, and transparency.”

David Levintow

Senior Associate and Instructor, IP3

Course Sponsor



**THE INSTITUTE FOR
PUBLIC-PRIVATE PARTNERSHIPS**



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COURSE LEARNING OBJECTIVES

One of the most critical development aspects of implementing successful and sustainable public-private partnership and privatization programs is the design and development of effective project/contract monitoring procedures. Participants who attend this course will learn how to design, develop, and implement effective technical and financial contract compliance and reporting programs for private sector contracts in the energy, water, solid waste, information technology, transportation, municipal services, health, and housing sectors. Additionally, participants will learn how to address and even preempt situations when “projects go wrong” including renegotiation and dispute resolution strategies.

This course contains six modules that will be covered over a two-week period. Participants will be responsible for attending all presentations and site visits, actively participate in discussions, case studies and group exercises, and complete a strategic *Action Plan* to directly facilitate changes within their organization, department, and/or team.

COURSE CONTENT

Module I: Designing Contracts with Effective Monitoring and Reporting Requirements

- Developing an overall strategy for contract preparation, management, and negotiation
- Identifying and applying the key clauses and language required for contracts
- Developing strategies to ensure contracts comply with all legal and regulatory statutes

Module II: Organizing and Managing the Contract Compliance Unit or Office

- Determining mission, goals, and responsibilities of the office or unit
- Creating the management and functional staff structure
- Creating effective public relations strategies to communicate with relevant stakeholders

Module III: Monitoring the Technical and Financial Performance of the Contractor

- Monitoring technical and operational performance through standardized procedures and checklists
- Analyzing and reporting on contract-specific financial flows and tariff application processes
- Collecting, managing, and reporting data for internal and external use
- Case study analyses in the solid waste, water, energy, and transportation sectors

Module IV: Renegotiation Strategies to Address Performance Failures, Disputes, or Termination Events

- Determining how and when to incorporate a contract “renegotiation”
- Understanding why renegotiation may be the best “win-win” strategy
- Strategies for effectively implementing and concluding successful contract renegotiations

Module V: Designing Effective Dispute Resolution and Mediation Procedures to Manage Contract Failure

- Strategies to incorporate dispute resolution and arbitration procedures
- Managing a dispute process
- Examining the options for international arbitration protocols: UNCITRAL, FIDIC, ICC, AAA, and ICSID rules

Module VI: Site Visits and Meetings

Module VII: Action Planning

WHO SHOULD ATTEND

National, Regional, and Local Government Officials and Monitors

Contract Officers/Monitors and Regulatory Commissioners

Senior Officials from PPP Centers and Privatization Units

Public Service and Utility Managers, Executives and Legal Experts

Staff of Bilateral and Multilateral International Organizations

DATE, LOCATION & COST

DATES: SEPTEMBER 8-19, 2008

LOCATION: WASHINGTON, DC

TUITION: \$4,450

COURSE CODE: 1823-WA

CEUs EARNED: 6.0 CEUs

TECHNOLOGY AND LEARNING AT IP3

Since our founding, IP3 has proudly recognized the importance of technology in our capacity building programs. We have provided thousands of participants with laptop computers and relevant software packages which have been integrated into computer-based problem/case study solving exercises; simulated financial, economic, and legal modeling sessions; Internet-based research activities; communication tools; and Action Planning programming. In this course, each participant will receive a new mobile Intel® Pentium® 4 or Celeron® laptop computer to take advantage of this integration of learning technologies offered during the course and after their return to the office.

INSTITUTE FOR PUBLIC-PRIVATE PARTNERSHIPS (IP3)

The Institute for Public-Private Partnerships, Inc. (IP3) is an international training and consulting firm that focuses on advancing public-private partnership programs and opportunities, regulation operations and management initiatives, and competitive utility management reform in the environmental (waste/sanitation and solid waste), energy, transportation, technology, municipal service, health, and education sectors. Since 1994, we have trained over 20,000 professionals from over 150 countries worldwide.

For More Information and to Register:

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Register Online at: www.ip3.org

Contact us about Professional Certification Programs!