



Overview of standard training courses

For bookings contact: info@cullengroup.com.au

OVERVIEW OF STANDARD COURSES



About The Cullen Group

The Cullen Group is a specialist consulting and training practice with globally recognised expertise in the formation of commercial contracts. It is managed by Dr. Sara Cullen, an internationally known contracting expert.

We have provided expert sourcing, negotiation, and contract management advice to over 145 organisations across Asia Pacific in 190+ projects spanning 51 countries.

Our private sector clients have included companies in the banking, education, hospitality, insurance, manufacturing, mining, petroleum, telecommunications, transport, and utilities industries. Public sector clients cover federal, state, and local governments and agencies.

The members of the Cullen Group have been widely published on the subject and are highly sought after as speakers and commentators. There have been 19 books and 126 best practice and research publications written to date, over 350 major conferences presented, and seven government reviews as independent experts.

Dr Cullen has conducted research with the London School of Economics and Oxford, Warwick, and Melbourne Universities since 1994. She has been featured in the *Australian Financial Review*, *BRW*, the *Bulletin*, *Computerworld*, *Directions in Government*, *European Journal of Information Systems*, *Economic Times*, *Information Economics Journal*, *Insurance Directions*, *MIS*, *MISQ Executive*, *New Accountant*, *Outlook India*, the *Financial Times*, *Oxford Handbook*, *Procurement Professional*, *Property Australia*, and *Strategic Asset Management*.

About the Training Programs

Our best practice research and solutions are taught in universities around the globe - from Melbourne University, to the University of Missouri, to the London School of Economics.

We are a partner of professional bodies such as CIPS (Chartered Institute of Purchasing & Supply) and IACCM (International Assoc for Contract & Commercial Management) and conference organisers world-wide.

We have trained nearly 6000 personnel from 755 organisations and are always rated 'excellent'. Our standard programs are full of interactive exercises, cases, problem-solving practice, and role-playing. Courses can be provided inhouse and tailored to your needs.

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- India
- Indonesia
- Malaysia
- Mexico
- NZ
- Philippines
- Singapore
- S. Korea
- Thailand
- UAE
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1. Drafting Practical Contracts

Course overview

In today's cost-conscious environment, where every dollar must be justified, effecting robust contracts is critical. Legal specialists are no longer the only ones involved in preparing contractual documents. Professionals of all disciplines have a vital role to play in the formation of successful contracts.

This is particularly important because contracts are often written in such a way that the actual ability to use them is very challenging. The language is convoluted, the structure overly complex, and real issues are not addressed (but irrelevant ones are). It's no surprise that the majority of contracts are filed away in a drawer.

It doesn't have to be this way. Contracts can be clear, easy to work with, and articulate real solutions (not just recourse). A fair, concise, meaningful contract is always in use, strengthening the relationship and governing both parties over the entirety of the term.

This course consists of two intensive days, filled with pragmatic methods and numerous interactive exercises and a case study - all designed to help you determine the best and most effective techniques for your organisation. Participants are split into small groups with similar expertise areas, to ensure you have the maximum opportunity to address your individual questions and needs.

Who should attend

This course is for those responsible for drafting, approving, or managing any part of the contracts created by your organisation including:

- Contract advisors, managers, officers, and administrators
- Internal legal
- Managers and personnel responsible for drafting, adapting and using contract templates

Outcomes

1. Know the legal fundamentals in contracting
2. Identify the 100 key conditions in a contract
3. Write clauses that won't be misinterpreted
4. Gain exposure to the development of two key schedules: the SLA /Specification and the Financial Schedule
5. Put together the team with the right skills
6. Plan the entire contract lifecycle from design through to exit

Comments

"I have taken away so much that I can use. This is a good course to build on for personal growth. It was refreshing to walk away learning so much. Dr. Cullen knows her stuff and was engaging and informative."

Manager Procurement, Sourcing, and Contracts,
Power and Water Corporation

"The best short course I have participated in. Content will be fully utilised - will make contracts simpler and more effective."

Contracting Specialist, Westfarmers

"Very good insights into topic. This will help me with existing and future contracts."

Operational Procurement Manager, Visy

"Good examples and definitions of 'jargon' words related to contracts. I now understand that there is more than just the fine print that holds and maintains a contract."

Operations Manager, Dept of Health and Aging

"Excellent presentation of course material in an interesting manner."

Contract Advisor, TruEnergy Yallourn

"Highlighted the importance of contract language and the style of writing for others to understand your intent. Facilitator is very knowledgeable and engaging."

Sourcing Analyst, Australia Post

"Proved a few pre-conceived ideas and dispelled a few too!"

Project Leader, University of NSW

Course outline

Introduction and overview

- Course design - what you will learn
- Meeting individual objectives - your goals

Overview of key contract principles

You don't need to be a lawyer to be able to write most of what you need in a contract, but you do need to be conversant in key principles. This session provides the legal fundamentals you need to know.

The role of contracts

- Defining a legal agreement - the contract is only one aspect
- Key objectives of contracts

Contract terms & conditions

- General - basic clauses typically found in templates
- Open forum on the 100+ clauses

Constructing a practical contract

The most common comment about contracts is that they are impossible to understand. This session goes through the intent of various forms of contracts; but more importantly, we show you how to structure one that is easy to understand and use.

- Discuss various types of contracts
- Determining a basic contract blueprint - make contracts simple
- Use of standard/template contracts - practical considerations

Writing practical clauses

Most contracts appear to assume the parties won't uphold their obligations, and then set out what the parties can do to each other when that happens. Yet, equal time is not devoted to making those obligations clear, concise and impartial. This session provides the skills to write any clause well.

- Writing from a solution perspective
- Writing from a fair perspective
- Writing so everyone can understand
- Navigation tools - contracts are a reference document, not a narrative

Automation - using contracts in an electronic format

- Cross-referencing - because not everyone remembers what clause 49.3(a)(iv) was!
- Developing the contract's glossary - so people can't make up what words mean

Key schedules

This session addresses the two key commercial aspects of a contract - the specification and the price. These cause the majority of variations and disputes, and thus are important to get right.

SLA/Specifications

- Basics - articulating what the business is expecting
- Key contents

Pricing

- Explore the pros/cons of various pricing models - avoid traps of the inexperienced
- Making the price model decision - getting the money right
- The total cost of contract - it isn't just the price

Case study

In this session, we take everything we've learnt and apply it to a contract. The contract can be one a participant brings in, or we assess an Australian Standard contract.

- Put everything to use - assess a contract

Planning & managing the contract lifecycle

Doing smart things at the right time is crucial to get results and minimise risk. This session explains the best practice journey from womb to tomb.

- Managing bargaining power and the total cost of contract
- Determining the skills required

Conclusion and evaluation

2. Writing Specifications & KPIs

Course overview

The specification (or statement of work/ requirements or SLA) is one of, if not the, most important documents to create and manage contracts. If it is vague, difficult to use, or too complex (or too simplistic), its value is severely compromised for both parties.

This two-day intensive workshop gives you the key tools, with practical application - so that quotes are accurate, mixed interpretations are few, management is efficient, and performance is driven to the right result.

This course takes you through the high-level issues, and solutions, down to the detailed ones. First, we examine a dispute to assess the role of the specification in allowing two parties to form two completely different views.

We then dedicate the course to writing a specification and related performance measures that work. We pay close attention to appropriate structure, clear responsibilities, and commercially sound language. Performance measures, and the means to drive performance, are explored in detail.

Note: Participants must bring in a specification they have written, need to review, or need to manage. We exchange these in class, and analyse them, so that you have a much-improved specification for the future.

Bonus! Attendees will receive:

- A detailed guide to service specifications & SLAs
- A template you can modify for your organisation

Who should attend

This course is for those responsible for drafting, approving, or managing any part of a specification and its performance including:

- Business managers who authorise specifications
- Subject matter specialists and personnel who develop specifications
- Procurement and legal personnel who approve specifications

Outcomes

1. Know why the specification is the most important part of the contract
2. Gain practical experience writing each key part of a specification
3. Learn how to be clear - and get accurate prices as a result
4. Know how to write KPIs that will work in practice
5. Examine different KPI recourse/reward schemes
6. Be able to critique any specification (and fix it)
7. Fit the specification into the overall contract

Comments

"Great course! I am now confident in being able to write up an SLA for communities and the Department."

Contract Support Officer, WA Dept of Housing

"I enjoyed the practical and simple breakdown, and how to improve practice with quick wins. Facilitator was very interactive, knowledgeable, and approachable."

Supply Officer, Newcrest Mining

"Learnt more in two days than months of on-the-job training."

Senior Procurement Officer, Qld State Government

"Explored new concepts in a practical environment. The instructor is very engaging and is an impressive subject matter expert."

Business Analyst, Air Services Australia

"A great mix of informative information, practical exercises with a dash of fun!"

Project Coordinator, Dept Foreign Affairs & Trade

"I enjoyed that the course materials were relevant to the work that I do. I will be able to put it straight to work and make a positive change to the way we do our business."

Contract Coordinator, Worsley Alumina

Course outline

Introduction and overview

- Course design– what you will learn
- Individual objectives – discuss your goals

Importance of the specification (spec)

Why don't we put our best people on the spec? This session explains why this happens and the effect it has on getting results.

- The downstream effect of the spec - solve a dispute caused by the spec
- Statistics from the field
- Determine the current state of your specifications
- Understanding the contract lifecycle & bargaining power - use it wisely rather than take shortcuts with the spec

Draft the detailed spec (case study)

The spec is supposed to state clearly and concisely what we want. Yet so many times, it does neither. This session shows you how to write a spec that will work in practice.

- Banned words – get rid of 'weasel words' and ambiguity
- Glossary (reserved words/defined terms)
- Responsibility matrix - so everyone knows know who is going to do what
- Spec writing - avoid misinterpretations and make it easy to use
- Looking at a spec from the provider's point of view

Performance specifications (case study)

Differentiating, in an objective way, between good and bad work is more difficult than it sounds. This is why there are so many disputes surrounding KPIs and recourse/reward schemes. This session will assist you in avoiding such disputes,

- Brief overview of the Contract Scorecard
- Performance measures – how you will measure good and poor quality
- Recourse/reward schemes - what you will do about strong and weak performance



Apply what you've learnt

At this stage, 1½ days of the course has taught you how to write a commercially sound spec. Now we put that to knowledge into use. In this session, we exchange the specifications that we have brought in, analyse the strengths and weaknesses, and offer feedback.

Getting the right fit for the spec in the contract

The Contract Blueprint: a straightforward plan = a straightforward contract

- Kick off a blueprint for your organisation

Conclusion and evaluation

3. Performance Based Contracting (PBC)

Overview

Contract veterans know that the success of a contract is multi-faceted. They know it's not just the cost, but also the quality that matters. They also know it is more than just getting what you pay for, but whether the relationship is an asset or a liability. Furthermore, they know that a contract is not an end goal in itself, but rather a way to achieve to any number of strategic goals.

To assess the myriad of outcomes that a deal may need to demonstrate, the industry is now recognising the value of applying a scorecard approach to design and measure results. Adoption and use of a Contract Scorecard is a maturing ability to manage commercial arrangements. The process of designing the scorecard helps you nail down key outcomes and avoid lack of focus, inconsistent objectives, hidden costs, and deteriorating relationships with your contract partners.

An upfront investment in your contracts, from a commercial rather than legal perspective is probably the single most influential activity you can undertake; one that will ensure your contracts have clear business goals as the focus of the deal. Attending this course is the first step in that investment.

This course will help you design and drive successful contracts. It guides you through a systematic approach based on real practice, real results, and provides real examples. This can be the missing link to *delivering real performance gains* to any contract.

Who should attend

This course is for those responsible for obtaining contract outcomes including:

- Business managers accountable for contract outcomes
- Personnel responsible for establishing and managing performance metrics

Required Textbook

The following is required to be purchased for the course:
Cullen, S. (2009) *The Contract Scorecard*.
www.amazon.com/The-Contract-Scorecard



Outcomes

1. Know what is important to a contract's success
2. Map out stakeholders and their needs/goals - the total portfolio of outcomes sought from contracts
3. Identify the parties' span of control - don't measure what they can't control
4. Develop sound KPI measurements that work in practice
5. Investigate performance management options, including carrots, sticks and others
6. Report the scorecard - ensure you can present outcomes to stakeholders
7. Making it happen - using the scorecard throughout the contract lifecycle

Comments

"Valuable course & important subject matter."
Senior Director, Sourcing Framework, Australian Taxation Office

"Made me rethink (at a strategic level) the whole way I think of contracts."

Senior Project Officer, Qld Police Services

"Great knowledge gained from such an experienced presenter. Extremely concise. Very motivating."

Supplier Performance Manager, Australia Post

"The course will help me shift focus from redundant legal terms to actual commercial requirements. Very practical."

Assoc. Director Procurement, University of Sydney

Course outline

Introduction and overview

- Course design - what you will learn
- Meeting individual objectives - your goals

Preparing the scorecard

So many people expect so many different things from a contract. This session shows you how to map out these expectations to ensure that your deals are designed to achieve all stakeholder goals.

- Scorecard overview and quadrants
- Span of control - each party's responsibilities
- Stakeholders - who cares about this deal and what they care about

Setting performance measures

Measuring success takes careful and methodical thinking. Nearly every organisation has tried it in different ways, but few do it well. This session ensures that you know how to do it well giving by you practical experience.

Quality Metrics

- The Quality KPI options - determine good work/ deliverables from poor ones
- Define your Quality KPIs

Financial Metrics

- The Financial options - get the right numbers
- Define your Financial KPIs

Relationship Metrics

- Desired behaviours between the parties - determine a productive relationship
- Draft your "Code of Conduct"

Strategic Metrics

- The Strategic options - doing more than exchanging cash for work
- Define your Strategic KPIs

Recourse/reward schemes

Nearly 70% of contracts in Australia have some sort of financial punishment if the provider doesn't perform adequately. However, no research has yet shown that this actually yields better performance. This session presents the carrots and sticks that have actually worked in practice.

- Financial and non-financial schemes
- Regular and intermittent approaches

Managing the scorecard

Giving our stakeholders what they want to know (and no more), and ensuring that the scorecard doesn't just sit on the shelf, can be challenging. This session shows you how to meet that challenge.

- Scorecard reporting
- Making it happen
- Using the Scorecard throughout the contract lifecycle
- Cases analyses

Conclusion and evaluation



4. Category Management

Overview

Category Management (CatMan) is a term many use, but few agree on what it actually is. This one-day workshop first takes you through what CatMan is and its lead role. We then explore some of the common elements - understanding your supply base, segmenting options, and knowing the category markets and how to leverage them.

It is an one-day hands-on workshop where you will be analysing your current, or potential, category, and taking a few deep dives into the analytics and market intelligence that CatMans use to become a category leader and trusted advisor in their organisations.

Who should attend

All category managers, whether new to category management or an experienced professional. The workshop is also valuable for any individual designing and developing category management capabilities within an organisation.

- Category Managers
- Contract managers, officers, and administrators
- Procurement and supply chain managers
- Business & Project Managers

Outcomes

1. Know what category management is and its role in the contract lifecycle
2. Understand your category's market
3. Become an informed buyer
4. Leverage your category providers
5. Determine your category's performance

Comments

"Thought-provoking. Open and affable manner, frank perspective. Discussion on 'what is CM' and category scorecards was particularly valuable."

Category Manager

"Was easy to follow, with open forums. I learned a lot about market segments, KPIs/scorecards, and competition."

Contracts & Procurement Graduate

"Practical examples. Useful concept of market vs. supply base. Love the balanced scorecard for categories."

Procurement Manager

"Fantastic to learn the different ways to segment the market."

Contracts Engineer



Course outline

Introduction and overview

- Course design - what you will learn
- Meeting individual objectives - your goals

Becoming a category leader

Becoming a category manager means becoming a leader and trusted advisor for the business in your category. The business expects you to have deep market knowledge, be able to steer the contract lifecycles for all your category contracts.

What is Category Management?

- Definition controversy - what is expected of categories and CatMan
- The contract lifecycle and where CatMan fits in to deliver best possible results

Understanding markets

- Defining a market vs. your supply base
- Segmenting the market - options
- Determine the type of buying and contract appropriate for a category

Driving performance from category providers

Getting the best from your category providers starts with being an informed buyer. In this session, we look at how to segment your supply base and determine the leverage that you have.

Being an informed buyer

- What CatMans are expected to know by the business
- Creating a deep understanding of the suppliers in your category

Leveraging your category providers

- Determine how important your organisation is to your current providers

Plan your category's success

As a category manager, you will be judged on the success of your category. In this session, we use the Contract Scorecard to determine a balanced view of category performance and develop a category plan to achieve success.

Determining your category's performance

- Developing a balanced scorecard
- Scorecarding the portfolio of providers in your category
- Benchmarking

Developing a CatMat plan

- Working from success backwards to develop the roadmap forward
- Develop your strategic category plan

Conclusion and evaluation



5. Buying Wisely - Competitive Tendering

Course overview

Successful tendering is not an auction - it is about getting the lowest price with a superior provider under a fair contract with sustainable solutions.

Choosing which providers your organisation will depend upon for many years is a critical activity. Vigilant selection delivers the best match - if your organisation truly knows itself and what it wants. The offers received reflect the quality and clarity of information you provide - in other words 'garbage in - garbage out.'

This hands-on course delivers the techniques for successful procurement and tendering. The course consists of two intensive days, filled with pragmatic methods, interactive exercises, and case studies - designed to assist you to determine the most effective techniques for your organisation.

The training is presented by Dr. Sara Cullen, a globally recognised expert in tendering and contracting. She has taken the practical experiences of over 140 organisations, and two decades of practice, to develop this course that will enable you to:

- pick the right supplier(s),
- for the right reasons, and
- get the right deal.

Who should attend

This course is for those responsible for running a tendering process, evaluating bids, and choosing providers including:

- Business and contract managers on evaluation teams
- Procurement
- Internal audit conducting reviews of tender processes and outcomes

Required Textbook

The following is required to be purchased for the course: Cullen, S., Lacity, M. and Willcocks, L. (2014) *Outsourcing: All You Need to Know*. www.whiteplumepublishing.com



Outcomes

1. Take a strategic approach to tendering
2. Build and manage your bargaining power to solicit better bids
3. Implement the optimal tender team
4. Plan the tender stages from ROI to BAFO and everything in between
5. Prepare an effective request (RFx) and facilitate the best responses
6. Devise the right evaluation criteria
7. Conduct the evaluation in the most efficient and effective manner
8. Understand the due diligence options to ensure the deal will work
9. Effectively debrief the unsuccessful bidders

Comments

"Highlighted that although I have been a procurement officer for a number of years, in some ways my experience is limited."

Manager Contracts & Tendering, Dept of Treasury (ACT)

"Great insight into vendor sales techniques and thought processes. Information conveyed in an easy to follow format. Instructor has deep knowledge of evaluation techniques and contractual terms."

Senior Buyer, Flour Australia

"Informative and presented well. Taught me to be open-minded and always think through the process to contract management."

Senior Contracts Consultant, ACT Procurement Solutions

"Whole room was involved and the presenter is well versed in the subject matter."

Senior Compliance Officer, Australia Fisheries Management

Course outline

Introduction and overview

- Course design - what you will learn
- Meeting individual objectives - your goals

Taking a strategic sourcing view

Doing smart things, at the right time, with the right competencies is crucial to getting results. This session shows you the best practice journey of a contract and sets up your journey.

The contract lifecycle

- Best practice - a study of 107 organisations
- Build and manage bargaining power
- Group exercise: choose your path

Determining the skills required

- The breadth of skills required
- Target the skills you need

Markets

We often need to source suppliers, but we are not market experts. This session explains the inside workings of suppliers and how to identify the right markets to approach.

- How suppliers are structured and operate
- Identifying markets

Target and profile

Bidders must make many assumptions to price their quotes, and we have to help them know as much as we can. This session outlines the key things we need to know to make the whole exercise work for both parties.

- The seven profiles

Plan the market approach

There are many options to explore when designing our approach to the market. This session goes through those options, and the related documents and evaluation criteria.

- Choose the tender stages (5)
- Draft the RFx document
- Mandatory, qualitative, and quantitative forms of criteria
- Weighting the criteria
- Write good questions that get good answers (and not spin)

Get the best bids

We need to devise the right deal to get good quotes. This session goes through the three key aspects of a contract and the best ways to help the market produce quality bids.

Put the right deal to market

- Key specification contents
- The price model - it's not the numbers that cause issues, it's the model
- Explore the "legals" - from the checklist

Facilitate best responses

- Getting the best bids from the market
- Managing briefings, data rooms, Q&A, and site visits

Evaluate the bids

The written response is only one of the many sources of information to consider. In this session, we reveal all the sources.

Determine best value for money

- Scoring and interactive evaluation techniques
- Value for money assessment
- Due diligence

Manage the losers

If we want the market to remain willing to bid for our future work, we need to manage the unsuccessful bidders. We role-play a debrief in this session to give hands-on experience in this difficult task.

- Debrief the losers (and the winner)
- Role play session

Conclusion and evaluation

- Put it all together - the Procurement Plan
- Closing remarks and evaluation



6. Due Diligence

Course overview

A bid evaluation only gets you to the point where you believe you have the best solution with the best value for money provider. At that stage, it is important to remember that you still do not know whether the provider will be able to perform as proposed for the agreed price. You only have an offer that you would like to accept, put forward by a company that appears solid.

Many organisations believe that, should things not go according to plan, it is merely a question of going to court to enforce the contract. However, litigation can take years and the costs can be huge. Compounding the problem, unwinding deals gone badly can be one of the most expensive and disruptive exercises an organisation can experience.

On the other hand, due diligence only takes a few weeks and a modest outlay. It involves investigating the provider's claim that it:

- is a sustainable entity,
- is what they have represented themselves to be in their bid,
- can perform the services at the price and quality offered in their bid.

This course will take you through each of the four aspects of due diligence, during which you will prepare a checklist for a current tendering initiative underway in your organisation.

Bonus! Attendees will receive many checklists that you can tailor.



Who should attend

This course is for those responsible for ensuring bids are accurate and suppliers are strong including:

- Business managers approving bids and providers
- Procurement staff and others responsible for selecting providers
- Internal audit who conduct reviews of tender processes and outcomes

Outcomes

1. Know how to conduct factual appraisal of bids and providers, rather than rely on statements in bids, presentations, etc.
2. Become a more informed buyer
3. Be able to ask better questions in RFX documents to obtain greater factual responses and less spin

Comments

"This was one of the best training/information courses that I have been on."

Thank you!" Capital Procurement Manager, Coles

"An excellent day. Very well delivered and an eye-opener to the way we should be working."

PMO Manager - Supply Chain

"Everything was beneficial - in particular, talking through interpretations, and benchmarking to our current practices."

IT Contracts Negotiator, Westfarmers

"Attendees were encouraged to challenge their conventional thinking - the best way to learn!"

Procurement Manager, Ernst & Young

"A lot of information was covered. Interesting, interactive, and stimulating."

Purchasing Officer, Qld State Government

Course outline

Introduction and overview

- Course design - what you will learn
- Meeting individual objectives - your goals

Why due diligence matters

It is in your best interest, with regard to risk management, to undertake comprehensive due diligence.

- The contract lifecycle - why after signing a contract, it is too late

Company/Financial due diligence

In today's environment, large global companies, as well as smaller local ones, can radically change or even disappear. A prudent organisation never relies on a brand name as a substitute for knowing the degree of viability.

- The three areas to check
- Viability is more than audited financial statements.

Price due diligence

You have two choices when it comes to the prices offered. You can accept prices at face value - assume they are correct, based on sound assumptions and estimates, prepared by knowledgeable people who had dedicated sufficient time. If the numbers are wrong, you can then hold the contract over them (which will work on occasion). Alternatively, you can check for yourself and ensure the deal will work – before you sign the contract. This is the purpose of this session.

- Assess how real the quoted price is

Solution due diligence

You should rarely take the solutions of the bidding firm at face value, as presented in their bid. This session investigates whether the proposed solutions will work as intended at your organisation.

- Knowing, not hoping, it will work

Contractual due diligence

By ensuring matters that should be in place at the time of signing a contract actually are in place, a precedent has been set regarding how you intend to manage the contract. It sends a clear message to the provider that the contract is important and you expect compliance. This session shows you what to check after award and before signing.

- Ensure necessary compliances are already in place

Other checks

This session examines other checks that are worthwhile, preventing common tricks and traps.

- Customer references
- The deal itself

Conclusion



7. Winning Competitive Bids

Course overview

Bidding against competitors can be a big investment, and one that you want to ensure there is a good return. You cannot afford to waste time developing bids where the probability of win is low, where it isn't clear what it will take to win, or when the client's approach to you may not be genuine.

Even in growing market, suppliers face an inordinate challenge in winning work. Clients go to market seeking many different types of arrangements - ranging from sole suppliers to panels, fixed lump sums to time and materials, and from arms-length to partnering arrangements.

Clients also have disparate goals and processes. Some want it cheap; others seek value for money. Some do not know what they are looking for; others know exactly. Some will have a very specific process-orientated approach; others may let you free form. Some limit meaningful interaction; some want extensive involvement. Some have teams of stakeholders involved; others hand over the entire process to consultants.

How then, are you to develop highly efficient bidding operations, given the diversity of client approaches and goals? How can you get a return on investment when so many tendering exercises do not end up successful?

This hands-on workshop delivers the techniques for successful pragmatic bidding. The course consists of two intensive days filled with practical methods and numerous interactive exercises, case studies, and role-playing as a client's evaluation team.

Who should attend

This course is for those who contribute to bids including:

- Account and bid managers
- Business development staff
- Estimators
- Sales and pre-sales staff

Outcomes

1. Understand where the bid fits into the contract lifecycle and in bargaining power
2. Implement the people with the right skills throughout the lifecycle process
3. Know the client's tender stages from ROI to BAFO and everything in between
4. Design and price deals to win
5. Know the key issues when deciding whether to bid
6. Respond an effective manner
7. Know the common tricks, traps, and tips

Comments

"Many new concepts presented on how to strategically develop tender bids. Good group interaction and ability in explaining concepts."

Process Engineer, Hunter Water

"A vast amount of content that I was unaware of. Clear and concise - all concepts articulated extremely well."

Carrier Manager, Sales Support - Macquarie Telecom

"I attended for pre-sales purposes and now know how buyers think. Facilitator was knowledgeable and articulated concepts well."

Commercial Manager - Fuji Xerox

"Instructor's knowledge was extensive and relevant. Taught me to see the client's perspective, understand the level of content for submission, and ideas on tender content."

Business Development Proposals Manager, MIE

"Amazing blend of theoretical and practical knowledge presented in an engaging and positive way."

Estimating Manager - Ngarda Civil & Mining

"Gave me good insight into the lifecycle of a contract and what the client is looking to get out of the tender process."

Business Development Manager, Monadelphous



Course outline

Introduction and overview

- Course design - what you will learn
- Meeting individual objectives - your goals

Current state analysis of the bidding opportunity

Please have a recent or current bid to work through over the two days.

- Assess how the bid has progressed so far.

Take a strategic view in planning

Doing smart things, at the right time, with the right competencies is crucial to getting results. This session shows you the best practice journey of a contract from start to finish, and helps set up your journey.

- The stages of the contract lifecycle - and where the bid fits in
- Building and managing bargaining power and the total cost of contract
- Targeting the skills you'll need

Understanding how clients run their tendering processes

How clients engage providers can seem quite mysterious at times. This session explains it all.

- The five tender stages
- Structure - formats and your challenges
- Tender conditions - what they really mean
- How clients evaluate bids

Designing and pricing the deal

Unfortunately, clients don't often explain themselves well in their tender documents. This session goes beyond what clients said into what they really want.

- Profiling - mapping what is known / what needs to be known
- Hitting the mark on client expectations - the Contract Scorecard,
- The deliverables - the specification/ SLA/ SoX, and KPIs
- Legals - from a practical perspective
- Pricing - options, the total cost of contract

Responding decisions

Bidding for every opportunity that comes our way isn't a very smart investment decision. You need to know when to bid, and how much to invest in each one. This session helps you take into account all the considerations.

- 1st generation vs. re-tender
- Key responding decisions and the bid/ no bid criteria
- Your edge - why should you win?
- Client buying patterns
- Effect of advisors
- Alternative proposals

The written response

Evaluation teams don't spend as much time reading your response as you would hope. This session shows you how to hit the mark.

- What evaluation teams want to see
- Key elements of written bids - stat decs, references, compliance vs. departure statements, etc.
- Bid language - compelling the client to buy, but not to copy your solutions
- Presentation and quality assurance - your credibility is at stake

Interactive techniques

Your company may be invited to showcase your people and site/s. This session illustrates how to use that brief time wisely.

- Presentations
- Site visits

Conclusion and evaluation

8. Contract Negotiation

Course overview

Negotiation is a very important step in securing a deal that yields sustainable long-term results. To be successful, the prime objective of contract negotiations must always be to reach sustainable solutions that work in the interests of both parties - not to win short-term arguments that yield further problems down the track. .

Furthermore, many think of negotiation only in terms of 'the big one' when parties agree to the contract. However, negotiations continue in many ways every day after a contract is signed. This course is just as critical for contract managers, as it is for procurement, legal and other negotiators.

We begin by assessing each participant's negotiation style and benchmark it to others who conduct commercial negotiations. After learning about the different styles, and when to choose each one, we conduct role-plays to build skills in these styles using real-life negotiation cases. The key aspects of planning a negotiation complete the training modules, and we end with an open forum on common negotiation problems.

Who should attend

This course is for those who partake in contract negotiations at any stage including:

- Contract managers and administrators
- Supplier relationship managers
- Account and service delivery managers
- Procurement staff
- Legal staff and advisors
- Finance personnel
- Subject matter specialists (e.g. engineers)

Outcomes

1. Know the forms of bargaining power and how it operates during the contract lifecycle
2. Understand all the negotiation styles
3. Know your style preference and what it means for your negotiations
4. Gain practical experience in the negotiation styles
5. Know how to plan a negotiation

Comments

"I enjoyed learning everyone's negotiation style and how to implement this to succeed in building better relationships with clients. Instructor is fun to work with (but I wouldn't want to go up against her in negotiation! :)"

General Manager, LCMA

"Excellent course. Got all the team in the negotiation mindset. Entertaining and provoking, good thinking about what we've got in front of us!"

Lead ITC Negotiator, ATO

"Practical ideas and concepts to apply and to be aware of when negotiating. The instructor was very knowledgeable."

Energy Optimiser, British Petroleum

"I learnt various tools and negotiation styles and the presenter was interactive, engaging, and enthusiastic. Great course, fantastic for business."

Senior Legal Adviser, Bank of Western Australia

"Handy reference points for planning negotiations and understanding the lifecycle of contracts. Clear presentation and easy to understand."

Contracts & Commercial Manager, Department of Primary Industries

"I enjoyed the different styles of negotiation put forward and how and why they conduct themselves. The facilitator can pass on information to the entire room regardless of their expertise in the subject matter."

Manager, Document Management, Medicare

Course outline

Introduction and overview

- Course design - what you will learn
- Meeting individual objectives - your goals

The contract lifecycle

Negotiations begin well before the 'big one' and continue throughout the life of a contract. This session explains how this works and how to manage your bargaining power.

- Forms of bargaining power
- Understanding power shifts throughout the lifecycle

Negotiation styles

There are five different types of negotiators. In this session, you'll discover your style and how it may affect your negotiations.

- Know your negotiation style
- Identify the styles in use in your organisation
- Benchmark your style

Role-play sessions

In this session, we put what we've learnt into practice. Using real-life negotiation scenarios, we focus on styles you are weak in, and learn to diagnose the styles as the negotiations play out.

- Practice negotiation styles you aren't strong in
- Diagnose negotiation styles in use

Negotiation strategy

Although it is cliché to speak of win-win outcomes, they are not actually difficult to achieve - with careful thought. This session shows how to make that happen.

- Solve a negotiation problem
- Positions and drivers
- BATNA and WATNAs
- Choosing the right style
- Preparing a negotiation strategy
- Negotiation strategy

Dealing with common problems in negotiations

- An open forum

Conclusion and evaluation



9. Contract Management & Governance

Course overview

In today's modern organisation, we are dependent upon our providers. As the business outsourcing trend continues to grow and workforces reduce further in size, organisations of all sizes, from all sectors, become more reliant on their external resource base -their suppliers.

We expect high performance, a skilled workforce, a flexible approach, and good value for money. Likewise, our providers expect us to manage our contracts and relationships in a professional and strategic way. Having the ability to better manage contract delivery drives the capture of wider business benefits.

This workshop is designed to help you transcend the traditional, more administrative role that has been the nature of contract management. This course is for those ready to drive contract management to new levels. You recognise your organisation's need to think strategically, think long-term, and think results. Set and forget is dead!

The course consists of two intensive days filled with the concepts and tools used by leading organisations throughout the globe. You'll be shown many examples, have many interactive exercises to try things out for yourself, and be in a supportive and frank environment in which to soundboard current issues and challenges.

Bonus! Attendees will receive:

- A confidential 16-page report on your contract management style after completion of the online instrument
- The publication "The 12 Best Practices of Contract Management"

Who should attend

This course is for those responsible for managing any aspect of a contract including:

- Contract advisors, managers, officers, and administrators
- Business and project managers
- Category managers and procurement personnel
- Corporate services managers including ITC, HR, property, and finance

Outcomes

1. Benchmark your organisation against the 12 best practices, and chose the practices right for you
2. Gain modern techniques for strategically managing the range of contracts in your portfolio
3. See where you are on the power curve and the leverage you might have
4. Find out the three prices that providers consider before quoting and how to identify the Winner's Curse
5. Be conversant in the key aspects of law that affects managing contracts
6. Have your personal contract management style profiled and benchmarked, and see how the styles can affect your team and relationships with providers
7. Know what it takes to get real results

Comments

"Excellent, by far the best course I have attended. A diploma wouldn't provide you with the detailed skill set that this course provides."

Category Manager - Sales & Marketing, Pfizer

"Excellent delivery of very relevant and contemporary approaches to contract management."

Assistant Commissioner, ATO

"Highly informative and constructive. Best yet!"

Purchasing Officer, Queensland Nickel

"Interaction, learnings from real life scenarios, and workshopping issue resolution - all very valuable."

Procurement Analyst, Westfarmers

"Excellent, really enjoyed it. Paced very well. Exercises were stimulating. Explained things well."

Contracts Administrator, Calibre Global

"Brilliant, entertaining, informative, and intelligent."

Principal Advisor (Contracts), Translink

Course outline

Get focused

You'll have limited time and resources to ensure success. This session helps you choose where to focus your effort.

Setting up to manage

- The 12 areas of best practice
- Budgeting your investment
- Preparing a contract management (CM) strategy

Managing the contracting lifecycle

- The phases and building blocks of best practice
- Managing the power curve and total cost of contract
- The breadth of skills required

What we manage

You will, in all likelihood, have to manage a contract that hasn't been written very well...and certainly one that wasn't written to be easy to manage. This session goes through the key areas and challenges, generating solutions to your issues.

Considerations

- The governing documents - including 'contract' and 'off-contract' documents
- Estoppel (variation by conduct) - a key challenge for any contract manager

Specification/SLA

- Key contents
- Examine good and poor practice cases

Managing pricing options

- Explore the various pricing models and what is required to make these successful
- Understand the total cost of contract - it isn't just the price

The conditions of contract

- Explore key legal issues all contract managers need to know
- Overview of the 100+ issues covered in contracts from a practical perspective

How we manage - formal and informal techniques

Both parties need to manage well if the deal is to succeed. This session first explores the design of efficient and effective formal structures and then dives into the interpersonal challenges.

Formal management - Governance

- Set clear CM roles of each party
- Meetings - structure the interaction needed at all levels
- Evaluations, reviews and audits - ensuring everything is working as it should
- Issue, variation, and dispute management - dealing with conflict and change in a constructive manner

Informal management - Relationship

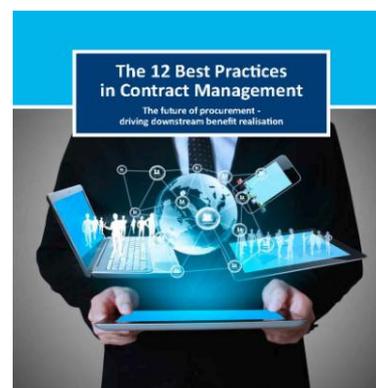
- The six different CM styles
- Your style, what it means for you, and how it compares to others
- Team chemistry - will you work well with the other party?

Planning the next generation options

All contracts end one day. This session helps you prepare for that day.

- End of term options - extensions, back-sourcing, and handovers
- Disengagement - unwinding
- Handover - challenges and solutions when a new provider takes over
- End of contract SWOT

Conclusion and evaluation



WHITE PAPER

open windows software
modular procurement

Dr Sara Cullen, University of Melbourne

10. Supplier Relationship Mgmt (SRM)

Course overview

Leading companies have realised that it is vital to make sure supplier relationships are managed well - at corporate and interpersonal levels. Your organisation's brand in the market as a customer of choice accelerates competition and lowers cost. The opposite brand has the opposing effect.

The course starts at the most strategic level - showing you how to categorise your suppliers by configuration structures, importance, and well as how they view your organisation. We then explore relationships that span many people over long periods, and gain experience in key tools.

On the second day, we determine how to measure the success of your supplier relationships using the Contract Scorecard. It is not enough just to have a good relationship; your organisation must derive value from it.

We then seek to improve your interpersonal relationships. You will complete a confidential online profile prior to the course, to gain valuable insight into your style. We then engage in a group problem solving exercise where your strengths (and weaknesses), and those of your group are put to the test.

Bonus! Attendees will receive a confidential Contract Management Profile 16 page report after completion of an online instrument.

Who should attend

This course is for those responsible for supplier relationships as well as those interacting with providers including:

- Supplier relationship managers
- Business, project, and contract managers
- Operations personnel involved with third parties

Outcomes

1. Know the business-to-business relationship and network from a corporate perspective
2. Be able to categorise your suppliers to understand the different relationships
3. Plan an effective relationship from start to finish - before you've selected any suppliers as well as when they leave
4. Determine and track the health of your relationships with the Contract Scorecard
5. Manage your interpersonal relationships with suppliers

Comments

"Was able to gain a terrific understanding of other areas of my organisation and my impact. Facilitator was entertaining, informative, expert, kept the course fun and relevant. The course taught me to plan thoroughly, the value of relationships, and gave me ideas to use."

Project Manager - Contracts, Melbourne Ambulance

"Lots of relevant information, good structure, templates, ideas. Good perspective on vendor/supplier relationships."

Chief Financial Officer, Macquarie Telecom

"Good coverage - especially role of the contract and relationship management."

Principal Financial Advisor, SE Qld Water

"I learnt that SRM is a journey and how important relationships are in determining success and failure of contracts. Presenter was engaging and had detailed materials."

Senior Project Manager, Bovis Lend Lease

"The whole course was great and very useful, particularly enjoyed relationship planning. The facilitator's style made the course engaging and interesting! It taught me relationship managing techniques, overall approach, and filled many gaps of knowledge."

Project Administrator, Melbourne Ambulance

"I can apply the buyer/supplier mutual importance and the behaviour scorecard right into my work environment."

Financial Analyst, University of Sydney



Course outline

Introduction and overview

- Course design - what you will learn
- Meeting individual objectives

Categorising suppliers

We often spend too much time with the 'wrong' suppliers and not enough with the 'right' ones. This session identifies both.

- By configuration structures
- By the suppliers' importance to you (spend, risk, value, etc)
- By your importance to the suppliers

SRM issues with different types of suppliers

The way we buy from suppliers, as well as how the supplier is structured, raises many different SRM issues. This session lays out those issues.

- By configuration structures (e.g. sole supplier vs. panel)
- By size and complexity (e.g. small enterprise vs. global)

Corporate relationships

Many people within your organisation will interact with suppliers over the life of the relationship. This session maps those relationships and offers alignment solutions.

- Many-to-many: the networks
- Over time: the contract lifecycle
- Plan a good relationship by design

Relationship tools

This session looks at a few key corporate tools for managing the relationship.

- Contract provisions - that help the relationship
- Governance Charter - the interparty management agreement
- SRM software

Scorecarding suppliers

The health of the relationship is part of the overall success picture. This session shows how to define and measure relationship health.

- The Contract Scorecard - success quadrants
- Relationship quadrant and KPIs - driving good working relationships

Interpersonal relationships

Our personal way of interacting with suppliers has a significant effect on our ability to have good relationships. This session offers highly personalised "coaching" on the participants' contract management, and conflict management, styles.

- Your contract management style - understand what you think is important and how that differs from others
- Your negotiation style - know how you prefer to reach agreement
- Benchmark to rest of Australia and suppliers
- Interparty teaming - solve a real issue using a recent case with your group.

Conclusion and evaluation

11. Dispute Management

Course overview

Misunderstandings between the parties are an inevitable part of any contract. The longer the contract, the more likely these will come about. These can be factual disputes, but most commonly are disputes based on different perceptions, opinions, and interpretations of the people involved.

Whether these differences are amicably resolved is a function of how well you have set up the process for dealing with them. The vast majority of disputes are resolved not through the courts, but between parties using various power bases and negotiation techniques.

This course provides you with key techniques for preventing disputes, as well as managing, resolving, and recovering from them. It is a practical course where you will learn as much from each other as the presenter.



Who should attend

This course is for those responsible for handling disputes with purchasers/buyers and vendors/service providers including:

- Business and contract managers
- Account managers and directors
- Legal personnel

Outcomes

1. Know the different types of disputes
2. Understand the power bases used to win
3. Set up the right governance mechanisms
4. Be familiar with the key tools to stay out of disputes
5. Notify, plan, and successfully negotiate disputes
6. Return to an effective working relationship
7. Be familiar with the key tools to stay out of dispute

Comments

"Whole new ways of doing contracts, working with people and negotiation skills. The presenter has worldly knowledge, enjoyable stories, excellent delivery and practical experience."

Program Manager - Advisory and Ecosystems,
LCMA

"Extremely engaging. Provided great insights and gave helpful feedback."

Category Specialist, Commonwealth Bank Australia

"Good discussions around difference experiences with contract management. Presenter is very approachable and easy to ask questions to. Facilitates lots of discussions effectively and has lots of relevant subject matter experience."

Warranty Coordinator, Origin Energy

"Challenged participants to think about their business, very interactive. It provided me with plenty of tools which will be useful in my role."

Project Accountant, North QLD Bulk Ports

"Presenter was extremely informative. Promoted much open discussion within the group - this was very helpful."

Communications Systems Officer, UNE

Course outline

Introduction and overview

- Course design - what you will learn
- Meeting individual objectives - your goals

Understanding disputes

Some relationships are more prone to disputes. Coupled with power imbalances, this can lead to disputes becoming a normal state. This session explains power relationships and the various forms of disputes.

- Forms of relationships from power-based to partnering
- The different types of disputes and power

Handling disputes within the parties

The parties must always attempt to resolve disputes between themselves first. This session shows you how to structure a framework to facilitate this.

- Notification - it must be formal and can be quite simple
- Escalation within the parties - moving it up the governance structure
- Recordkeeping - evidence prevails

Managing conflict

How we individually manage conflict has a big effect on whether things that could've been manageable issues at one point escalate into disputes. This is a highly personal session where you take an assessment to discover your style, after which we discuss the ramifications.

- Identify conflict management styles and how they impact reaching resolution
- Role playing session
- Prepare a negotiation strategy on a dispute

Alternative dispute resolution (ADR)

Most contracts specify third party involvement if a dispute can't be resolved between the parties themselves. This session explains the three forms of ADR and how they work in practice.

- Arbitration
- Mediation
- Independent expert

Recovering from a dispute

Many times after having a dispute, the parties will need to continue to work together. This session shows how to recover.

- Recovery options
- Returning to a working relationship

Preventing disputes

We've spent the day discussing how to manage disputes. This session is arguably the most critical - preventing them in the first place.

- The lines of defence

Conclusion and evaluation



12. The Next Generation - Better, smarter

Course overview

Organisations experienced with contracts have learnt a great deal from their earlier forays. However, the next generation of a deal offers a completely new set of issues and solutions.

Sourcing has moved from being a relatively straightforward concept to one that is a complex aggregation of multiple options and permutations. Each organisation embarking on its next generation faces 26 structural choices. Just a few examples: you may change from a sole supplier to multiple suppliers, you may bring a few things back in-house, you may change from a fixed price contract to one that is a hybrid of fixed, variable, and cost/+ items.

To make sure your next generation is a substantial improvement over the previous one, this course goes through the issues and solutions regarding how to go to market, the possible transitions you may be undertaking, and creating contracts that are more effective.

The first day covers changing deal structures based on the seven key configuration attributes including scope, number/type of suppliers, and pricing. The second day prepares you for the next generation, going through the lifecycle faster and better, the issues when faced with an incumbent supplier, and transitioning between suppliers as well as back-sourcing (bringing some things back in-house). Then the course revisits the 100+ contract conditions to make sure your next deal is superior to the last one.

Required Textbook

The following is required to be purchased for the course:
Cullen, S., Lacity, M. and Willcocks, L. (2014)
Outsourcing: All You Need to Know.

www.whiteplumepublishing.com



Who should attend

This course is for those who redesign, re-tender, or re-negotiate existing contracts that are nearing their end including:

- Business and contract managers
- Strategic sourcing and procurement
- Advisors and consultants

Outcomes

1. Know the seven key structures you need to get right and the issues in changing these structures
2. Go through the next generation lifecycle - faster and smarter
3. Learn the lessons from the previous generation
4. Ensure there is competition with a re-tender when an incumbent provider exists
5. Have a smooth disengagement from an existing provider
6. Manage handovers between incumbent and successor providers
7. Improve your contract to ensure the deal is better than the last one



Comments

"Excellent! Very thought provoking and useful."

Commercial Senior Project Manager, ATO

"This course helped me understanding sourcing generational differences and identify areas that need looking at now to prepare for stages in the lifecycle."

Consultant, Oakton

"Reiterated to me how important defining scope is. Moving to 2nd generation still has its issues. Presenter engaged audience that provided better understanding."

Assistant Director, Dept Immigration & Multicultural Affairs

"Well paced presentation. This course helped me understand the maturity of the outsourcing model."

ICT Sourcing Specialist, Medicare

"Lots of practical examples and understanding of issues."

Principal Consultant, Acumen Alliance

Course outline

Introduction and overview

- Course design - what you will learn
- Meeting individual objectives - your goals

Next generation - research to date

Clear patterns have emerged on what organisations experience from one generation to the next. This session highlights the latest research in the area.

- Explaining sourcing “generations”
- Lessons of the first generation and next generations
- Common next generation actions

The seven configuration structures

There are seven key decisions we need to make every generation about the nature of the deal. In this session, we show what sort of restructuring decisions are taken next generation.

- Scope Grouping
- Supplier Grouping
- Financial Scale
- Price Framework
- Duration
- Resource Ownership
- Commercial Relationships

Get prepared for the next generation

If we picked up one improvement idea from each generation, for every contract, we would be best practice in no time at all. This session shows you how.

- Readiness assessment - what shape is your current contract in to allow your next generation to go smoothly
- SWOT (**S**trengths, **W**eaknesses, **O**pportunities and **T**hreats) - assessing your previous deal
- Business case for the next generation options



The contract lifecycle - faster, better

The next generation lifecycle bears little resemblance to the first generation. This session explains why.

- The four phases: Architect, Engage, Operate, and Refresh
- Going through the next generation lifecycle

Next generation options

We need to replace any idealistic notions about how next generation works in order to make it work. This session illustrates the common traps and contains many practical tips for all the next generation options.

Going to market/re-tendering

- First - a refresh
- Second - issues in fostering competition when there is an incumbent provider

The transitions

- Disengaging from an incumbent
- Handovers between old and new suppliers
- Backsourcing (bring things back inhouse)

The contract

- 100+ contract issues to consider better this time - assess missing knowledge and contractual provisions

Conclusion and evaluation