

# THE OSGOODE CERTIFICATE IN CONTRACT MANAGEMENT FOR CONSTRUCTION AND INFRASTRUCTURE PROJECTS

Learn the essentials of lifecycle risk and performance management, including:

- Identifying potential risks, and how to control them in maximally cost-effective ways
- Alignment and governance of the internal legal, commercial, procurement, technical and administration teams – getting everyone onto the same page
- How to evaluate contract performance
- How to best handle any changes to the contract including amendments and changes in circumstances
- How to monitor implementation of the contract and remedy performance issues

Register today at:

[osgoodepd.ca/contractmanagement](https://osgoodepd.ca/contractmanagement)

## PROGRAM DIRECTORS

**Andrew Wong**  
Osler Hoskin & Harcourt LLP

**Nick Boutselis**  
Global Compliance  
Strategy and Construction  
BMO

## REGISTRATION DETAILS

April 25 – 29, 2022

Online, Live

Can't make the date?  
*Registration includes 120-day unlimited, online access to the recorded program.*

# The Osgoode Certificate in Contract Management for Construction and Infrastructure Projects

Designed for  
Contract  
Managers!

**Signing the contract is not the end, it's the beginning.** Once you or your organization have entered into a contract and put the management building blocks in place, you need to ensure that you are properly equipped to manage its implementation and handle all of the problems that may come up during its lifecycle.

In this certificate program, you will gain valuable insights from legal and contract management experts about assessing and managing risk, and tips for minimizing risk and maximizing performance. You will gain substantive knowledge and the practical skills needed to execute an efficient, and cost-effective contract management process.

This intensive, five-day certificate, will give you the tips and strategies you need to address some of the most challenging and complex situations that can negatively impact your contract management process. There will be ample opportunity for discussion of practical issues.

Space in this program is strictly limited to ensure individualized attention from our faculty. Secure your place in this first-of-its-kind program by registering now.

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## Senior legal and industry experts will provide:

- A comprehensive survey of all the pre-contract considerations that affect contract management – what you need to look out for
- An in-depth examination of the contract management phase with an emphasis on avoiding pitfalls and optimizing implementation
- The practical tools you need to deal with changes to work, delay and other contract management issues
- Practical tips and strategies on how to improve and strengthen your communication, negotiation and time management skills
- Best practices in contract management governance

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## Who Should Attend

- Contract/Project Managers
- Directors/Managers, Contract and Legal Services
- Contract Analysts/Specialists
- Contract Registration Coordinators
- Contract Administrators

Drawing on the expertise of leading lawyers and contract managers, including:

## Program Directors



**Andrew Wong**  
Osler Hoskin & Harcourt LLP



**Nick Boutselis**  
Global Compliance  
Strategy & Construction  
BMO

## Program Faculty

**Nana Amponsah**  
Senior Legal Counsel  
Transaction Legal  
Infrastructure Ontario

**Nick Boutselis**  
Global Compliance  
Strategy and Construction  
BMO

**Darren Cash**  
Director  
Turner & Townsend

**Carly Fidler**  
Osler Hoskin & Harcourt LLP

**Joel Heard**  
Osler Hoskin & Harcourt LLP

**Paul Ivanoff**  
Osler Hoskin & Harcourt LLP

**Rosemarie Lipman**  
CIO & SVP, Digital & Data Engineering,  
EllisDon Group of Companies

**Michael Marano**  
Sourcing Director  
JLL

**Chris Moran**  
General Counsel,  
Maple Reinders Group Ltd.

**Niguel A.D. Mousseau**  
Senior Counsel  
Aecon Group Inc.

**Jillian Newsome**  
Vice President  
P1 Consulting Inc.

**Adam Peacey**  
Global Initiatives PMO Head  
Corporate Real Estate  
BMO Financial Group

**Amees Sandhu**  
Founder and Principal Lawyer  
Lex Integra Professional Corporation

**Rocco Sebastiano**  
Osler Hoskin & Harcourt LLP

**Rachel Stack**  
Department Manager  
Strategic Commercial Negotiations  
Bruce Power

**Dr. Melanie Stevenson**  
Professional Writing Consultant

**Lauren Tomasich**  
Osler Hoskin & Harcourt LLP

**Walter Wallace**  
Head, Global Real Estate Operations  
BMO

**Andrew Wong**  
Osler Hoskin & Harcourt LLP

Register today at:  
[osgoodepd.ca/  
contractmanagement](https://osgoodepd.ca/contractmanagement)

*“Great speakers, discussions and practical insights from owner and contractor perspectives.”*

**Allison Perlman**  
Legal Counsel, EllisDon Corporation

# Agenda

## DAY 1

Monday, April 25, 2022  
9:00 a.m. – 4:45 p.m. ET

### Putting the Contract in Place

*An overview of key issues affecting contract management from the earliest stages:*

#### Risk Management

- Pre-contractual identification of risk in the design, construction and operation/maintenance of the project
- Making efficient use of a Risk Register to quantify risk and properly allocate risk to the appropriate project participant
- Understanding how risk allocation choices impact price, time, quality and control
- Recognizing how the allocation of risk should be reflected in how the contract is drafted

#### Project Delivery System and Contract

- Types of project delivery systems
- Ensuring the project delivery system and contract are consistent with the allocation of risk
- The various standard form contracts for use with each project delivery system
- Owner-prepared forms of contract
- Recognizing the different roles of the participants depending on the terms and conditions of the contract

#### Procurement

- RFP versus Call for Tenders
- Owner and contract obligations

#### The Contract

- Comprehensive review of the key legal and commercial provisions:
  - Contract price and time
  - Scope of work
  - Incentives
  - Self-help remedies
  - Security
  - Insurance
  - Delays
  - Unknown conditions
  - Indemnity
  - Dispute resolution
  - Termination rights
  - Limit of liability

- A closer look at some of the most problematic areas of contract administration and management:

- Changes in the work
- Payment certification
- Reports dealing with cost
- Schedule and performance
- Claims
- Procedure for testing and commissioning
- Certification of substantial performance and total completion including contract close-out
- Contract governance
- Master service agreements and purchase orders

#### Nuts & Bolts – RFP Evaluation Process

- How to effectively evaluate proposals
- Owner obligations arising from procurements
- Internal procurement policy
- Bid prices exceed budget – what can the owner do?

## Faculty

#### Nana Amponsah

Senior Legal Counsel, Transaction Legal, Infrastructure Ontario

#### Joel Heard

Osler Hoskin & Harcourt LLP

#### Niguel A.D. Mousseau

Senior Counsel, Aecon Group Inc.

#### Jillian Newsome

Vice President, P1 Consulting Inc.

#### Rocco Sebastiano

Osler Hoskin & Harcourt LLP

#### Andrew Wong

Osler Hoskin & Harcourt LLP

## DAY 2

Tuesday, April 26, 2022  
9:00 a.m. – 4:00 p.m. ET

### Contract Management (Part I)

#### Negotiation and Communication – Strategies and Best Practices

- Commercial contract strategy
- Relationship building and management
- Identifying all legal, commercial and technical issues

- Internal risk review process and senior management approval, and signing of contract

#### Contract Kick-Off Meeting

- Introductions
- Documents submitted by Contractor prior to the start of work
- Overview of forms and the process for contract management and administration

#### Master Service Agreements

- Use of a master service agreement: why?
- Key considerations for negotiation and use of a master service agreement

#### Performance and Contract Management

- Key tools and considerations

## Faculty

#### Nick Boutselis

Global Compliance, Strategy and Construction, BMO

#### Michael Marano

Sourcing Director, JLL

#### Rachel Stack

Department Manager, Strategic Commercial Negotiations, Bruce Power

## DAY 3

Wednesday, April 27, 2022  
9:00 a.m. – 4:00 p.m. ET

### Contract Management (Part II)

#### Insurance

- Types of insurance and how they can benefit your process in unexpected ways. Types of insurance to be discussed include:
  - Liability
  - Property
  - Auto
  - Professional liability
  - Equipment
  - Pollution (when and where)
  - Sub-guard (form of subcontractor insurance)
  - Intellectual property
  - Business loss, start-up insurance
- Contractor versus owner insurance

## Contract Governance and Client Management

- Oversight of the contract and performance of the work
- Committees – project managers, executives, senior executives
- Process for meetings – how often, where, etc.
- Matters to be considered and dealt with by the committees
- Reports submitted to the committees
- Overall client management discussions

## Changes in the Work

- Handlings requests for change order:
  - Delays
  - Unknown conditions and other changes in the work
- Reviewing the change order process:
  - Change order vs. change directive
  - Compensation and mark-up

## Tests and Commissioning/Quality Control and Assurance

- Inspections – tests, mechanical completion and commissioning
- Reports and certificates

## Faculty

### Adam Peacey

Global Initiatives PMO Head, Corporate Real Estate, BMO Financial Group

### Amee Sandhu

Founder and Principal Lawyer, Lex Integra Professional Corporation

### Walter Wallace

Head, Global Real Estate Operations, BMO

## DAY 4

Thursday, April 28, 2022

9:00 a.m. – 4:30 p.m. ET

## Contract Management (Part III)

### Claims, Settlement Negotiations and Adjudication

- Strategies for how to manage and negotiate claims including how to determine any available remedies

- Limitation periods
- Notice of Claim: notice period and content
- The use of dispute resolution: negotiation, mediation, arbitration and the court

### Commercial Commitment and Costs Management

- Recognizing the importance of the commercial commitment process and how to avoid an over budget scenario at the tail end of your projects.

### Substantial Performance, Total Completion, Scorecards and Post Completion

- Substantial performance, “supporting” documents and deficiency holdbacks
- Total completion – certification and close-out documents
- Post-completion – warranty items

### Writing for Results

- The essentials in report writing for contract managers

## Faculty

### Nick Boutselis

Global Compliance, Strategy and Construction, BMO

### Darren Cash

Director, Turner & Townsend

### Carly Fidler

Osler Hoskin & Harcourt LLP

### Paul Ivanoff

Osler Hoskin & Harcourt LLP

### Dr. Melanie Stevenson

Professional Writing Consultant

### Lauren Tomasich

Osler Hoskin & Harcourt LLP

## DAY 5

Friday, April 29, 2022

9:00 a.m. – 4:00 p.m. ET

## Workshop: Intensive Contract Review

By the morning of Day 5, you'll be ready to go through a series of contracts in order to address the most effective strategies for administering each one.

You will hear from both Program Directors as they guide you through common, unexpected, and highly complex issues to equip you with the knowledge you need to handle each type.

## Faculty

### Nick Boutselis

Global Compliance, Strategy and Construction, BMO

### Rosemarie Lipman

CIO & SVP, Digital & Data Engineering, EllisDon Group of Companies

### Chris Moran

General Counsel, Maple Reinders Group Ltd.

### Andrew Wong

Osler Hoskin & Harcourt LLP

### Need more CPD hours?

*If you are a lawyer or paralegal and still need to fulfill your annual CPD requirement for professionalism hours after taking this program, you will receive complimentary access to one of OsgoodePD's on-demand webinars accredited for CPD professionalism content. For full details, including the name of the webinar, will be provided at the start of the program.*

*“The program was extremely useful with a lot of very relevant data provided. Downloadable material will be very handy for future reference.”*

### Eric Menezes

Project Manager, City of Vaughan  
(2021 Online Participant)

Register today at:

[osgoodepd.ca/  
contractmanagement](https://osgoodepd.ca/contractmanagement)



# Registration Details

**Fee per Delegate: \$3,495 plus tax**

**Newly Licensed\*: 50% off regular rate + tax**

\*This fee applies to newly licensed professionals within the past 2 years

Fees include online attendance, electronic materials, 120-day access to the recorded modules, and technical support. Group discounts are available.

Visit [www.osgoodepd.ca/group-discounts](http://www.osgoodepd.ca/group-discounts) for details. Please inquire about financial assistance.

## Financial Assistance

This program is eligible for OSAP funding. Federal and provincial job grants may be available. You may also apply for financial assistance with OsgoodePD. To learn more, visit: [www.osgoodepd.ca/financial-assistance](http://www.osgoodepd.ca/financial-assistance)

## Program Changes

We will make every effort to present the program as advertised, but it may be necessary to change the date, location, speakers or content with little or no notice. In the event of program cancellation, York University's and Osgoode Hall Law School's liability is limited to reimbursement of paid fees.

## Cancellations and Substitutions

Substitution of registrants is permitted at any time. If you are unable to find a substitute, a full refund is available if a cancellation request is received in writing 21 days prior to the program date. If a cancellation request is made with less than 21 days notice, a \$150 administration fee will apply. No other refund is available.

## For Further Program-Related Information, Please Contact:

Stéphane McRoberts, Program Lawyer at 647.999.5723  
or email [smcroberts@osgoode.yorku.ca](mailto:smcroberts@osgoode.yorku.ca)

# Certificate of Program Completion

You will receive a Certificate upon completion of **The Osgoode Certificate in Contract Management for Construction and Infrastructure Projects**. Participants must attend all program days (whether live and/or by program archive) and successfully complete the final online exam to receive the Osgoode Certificate.

# 4 Convenient Ways to Register



Mail



Online



Fax



Call

**Register today at:**

[osgoodepd.ca/contractmanagement](http://osgoodepd.ca/contractmanagement)



OsgoodePD has been approved as an Accredited Provider of Professionalism Content by the LSO.

Eligible CPD Hours – LSO (ON): 31h 30m (30h 30m Substantive; 1h Professionalism)



OsgoodePD programs may be eligible for CPD/MCLE credits in other Canadian and US jurisdictions. To inquire about credit eligibility, please contact [cpd@osgoode.yorku.ca](mailto:cpd@osgoode.yorku.ca).

## Our Past Participants Say It Best...

*“To the point, comprehensive and well organized.”*

Reza Kia

Sr. Project Manager, Govan Brown & Associates  
(2021 Online Participant)

*“A great overview of a wide range of topics under the Contract Management umbrella, which was delivered by qualified and experienced professionals. A great overall course regardless of your experience level.”*

Denis Cronin

Associate Director, Altus Group  
(2021 Online Participant)

*“Relevant topics with subject matter experts presenting.”*

Jelena Maric

Manager Procurement, Insurance and Risk,  
City of Airdrie (2019)

*“This was exactly what I was hoping for. Multiple topics taught by a range of experts all of which I have found informative and applicable to my job.”*

Sarah Dammermann

Canadian Nuclear Laboratories (2018)

*“Great overview with a lot of depth on the legal, contract, insurance and management aspects of large projects.”*

Iman Hashemi

Sr. Operations Manager, Lakeview WTP,  
Ontario Clean Water Agency (2017)