

ICC INDIA – PROTECON BTG PRESENTS

ADVANCE CONTRACT DRAFTING & DISPUTE MANAGEMENT FOR INFRASTRUCTURE & CONSTRUCTION PROJECTS

A Practical 2-Day Capacity Building Program designed to equip Project Management, Contracts, Commercial, Planning, Procurement and Legal Professionals with practical knowledge of Construction Contracts, Contract Drafting, Risk Allocation, Delay & Damages Provisions, Variations, Force Majeure, Contract Administration and Dispute Avoidance Strategies.

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ABOUT THE PROGRAM

ADVANCE CONTRACT DRAFTING & DISPUTE MANAGEMENT FOR INFRASTRUCTURE & CONSTRUCTION PROJECTS

Construction and infrastructure projects often face contractual challenges arising from poorly drafted clauses, unclear obligations, variations, delays, and disputes. Effective contract drafting is critical for protecting stakeholder interests, minimizing risks, and ensuring successful project execution.

This intensive capacity building program is designed to equip participants with practical skills in drafting, reviewing, interpreting, and managing construction contracts. The program focuses on real-world contractual issues encountered in EPC and infrastructure projects.

Participants will gain practical insights into drafting enforceable clauses, managing contractual risks, handling variations and change management, understanding delay-related provisions, and applying best practices for dispute avoidance and resolution.

YOU WILL LEARN HOW:

- ✓ Understand construction contract fundamentals
- ✓ Draft effective contract clauses
- ✓ Allocate contractual risks appropriately
- ✓ Manage delays and damages provisions
- ✓ Handle variations and contractual changes
- ✓ Interpret contractual obligations and liabilities
- ✓ Draft force majeure and termination clauses
- ✓ Manage contractual disputes proactively
- ✓ Review and improve contractual documentation

BENEFITS:

- Improved contract drafting capability
- Better understanding of contractual risks
- Enhanced commercial awareness
- Practical approach to dispute avoidance
- Improved contract administration skills
- Better management of variations and claims
- Stronger contractual decision-making capability
- Real-life construction project examples

THIS PROGRAM WILL COVER THE FOLLOWING KEY ACTIVITIES WITH PRACTICAL EXAMPLES:

1	Understanding Construction Contracts	Contractual arrangements, risk allocation and cash flow considerations
2	Drafting Contract Clauses	Definitions, communications, EOT and delay provisions
3	Contract Interpretation	Letter of Intent and Fit-for-Purpose obligations
4	Variations & Adjustments	Modifications, omissions and revised BOQ rates
5	Boilerplate Clauses	Completion, termination, assignment and force majeure
6	Special Circumstances	Disclaimers, hardship, acceleration and no-damages-for-delay clauses

OUTCOME OF PROGRAM:

By the end of this program, participants will be able to draft, review, interpret and administer construction contracts more effectively, identify and manage contractual risks, improve contract administration practices, and apply practical strategies for dispute avoidance and commercial management across infrastructure and construction projects.

SESSION - 1**(10.00 AM
TO 11.30 AM)****Fundamentals of Construction Contracts**

- Contractual arrangements in the construction industry
- Principles of risk allocation
- Cash flow issues and contractual impact

TEA BREAK (11.30 AM TO 11.45 AM)**SESSION - 2****(11.45 AM
TO 01.15 PM)****Drafting General Contract Clauses**

- Definitions and contract agreements
- Contractual communications
- Understanding contractual relationships
- Drafting clear and enforceable provisions

LUNCH (01.15 PM TO 02.00 PM)**SESSION - 3****(2.00 PM
TO 3.30 PM)****Time-Related Contract Clauses**

- Time is of essence provisions
- Extension of Time clauses
- Concurrency issues
- Managing time-related contractual situations

TEA BREAK (03.30 PM TO 03.45 PM)**SESSION - 4****(03.45 PM
TO 05.15 PM)****Damages & Delay Management Clauses**

- Consequential loss clauses (Inclusion / Exclusion)
- Drafting enforceable delay damages clauses
- Practical approaches for managing delay-related risks

SESSION - 1**(10.00 AM
TO 11.30 AM)****Contract Interpretation & Key Obligations**

- Rules for interpretation of construction contract clauses
- Letter of Intent: risks and practical implications
- Understanding "Fit for Purpose" obligations

TEA BREAK (11.30 AM TO 11.45 AM)**SESSION - 2****(11.45 AM
TO 01.15 PM)****Variations, Adjustments & Modifications**

- Variations, changes, modifications and omission clauses
- Revised rates in BOQ and adjustment mechanisms
- Managing contractual changes effectively

LUNCH (01.15 PM TO 02.00 PM)**SESSION - 3****(2.00 PM
TO 3.30 PM)****Boilerplate Clauses**

- Completion clauses
- Termination clauses
- Assignment and novation clauses
- Force majeure clauses

TEA BREAK (03.30 PM TO 03.45 PM)**SESSION - 4****(03.45 PM
TO 05.15 PM)****Special Circumstances & Practical Contract Applications**

- Disclaimers
- Acceleration clauses
- Hardship clauses
- No damages for delay clauses
- Practical tips for vendor POs
- Managing contractual risks and project challenges effectively

Amit Kathpalia

FIE, FICCP, MRICS, Senior Planning Engineer

Independent Consultant – Construction Contracts, Claims & Dispute Resolution
Formerly with Leading International Consultancy Firms



Professional Skills

- Contract Management & Administration
- Claims Management & Analysis
- Extension of Time (EOT) Analysis
- Delay, Disruption & Concurrency Analysis
- Construction Planning & Programming
- Risk Management & Contractual Risk Analysis
- Dispute Resolution (DAB, Arbitration)
- Project Controls & Cost Management
- Contract Strategy & Negotiation
- Change Management & Variation Analysis
- Tendering & Procurement Support
- Expert Witness & Dispute Advisory
- Training & Capacity Building
- FIDIC, NEC and Other Standard Forms of Contract

Software Skills

- Primavera P6
- MS Project
- TILOS
- Advanced Excel
- Power BI (Reporting & Analytics)

Education & Memberships

- Fellow, Institution of Engineers (FIE)
- Fellow, Indian Council of Construction Professionals (FICCP)
- Member, Royal Institution of Chartered Surveyors (MRICS)
- Senior Planning Engineer (Sr PE)

Career Summary

Amit Kathpalia is a highly experienced **Construction Contracts, Claims and Dispute Resolution specialist** with over **40+ years of international experience** in the infrastructure, construction, and engineering industries.

He has worked with **leading international consultancy and contracting organizations**, advising on **complex EPC and infrastructure projects** across India and abroad. His expertise covers **contract administration, claims preparation and evaluation, delay and disruption analysis, risk management, dispute resolution and project planning**.

Amit has extensive experience working with **FIDIC and other international standard forms of contract**, and has been involved in advising **employers, contractors, and consultants** on large and complex projects across multiple sectors including **transportation, oil & gas, power, industrial, and commercial developments**.

He is also an **experienced trainer** and regularly conducts **workshops and capacity building programs** on **FIDIC contracts, contract management, claims and dispute resolution** for professionals in the construction and infrastructure industry.

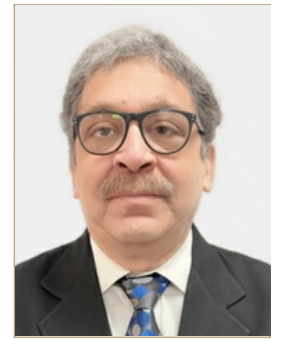
Key Areas of Expertise

- Contract Administration and Interpretation
- Claims Management (EOT, Cost Claims, Disruption Claims)
- Delay Analysis (TIA, APAB, WSA, CAB, RLPA)
- Risk Allocation and Contractual Liabilities
- Dispute Avoidance Boards (DAB) and Arbitration Support
- Project Planning, Scheduling and Controls
- Tender and Contract Strategy
- Expert Advisory and Independent Expert Services
- Training and Capacity Building on FIDIC Contracts

SPEAKER'S PROFILE

Arun Zutshi

Director (Contract Management), Protecon BTG | B.E. (Mechanical), MNNIT Allahabad



Professional Skills

- Program / Project Management & Controls Profit & Loss Management
- Project Contract Management
- Project Planning, Scheduling & Monitoring Project Cost Engineering & Management Corporate Planning & Monitoring
- Strategic Visioning & Alignment
- Governance Structuring
- Benefits Management & Analysis
- Stakeholder Management & Analysis
- Dispute Resolution & Analysis
- Risk Management & Analysis
- Qualitative / Quantitative Risk Analysis
- Change Management & Analysis
- Communication Management & Analysis
- Conflict Management & Interpersonal Skills Procurement & Tendering Processes
- Contract Negotiation & Administration
- Project Management Systems & Procedures Quality Management (QA / QC)
- Budget Preparation & Control
- Invoice Preparation / Certification
- Manpower Planning & Analysis
- Manpower Recruitment & Performance Review Reporting & Forecasting
- Asset Capitalization & Project Closeout

Computer Skills

- MS Office(Word/ Excel / PowerPoint)
- MS Project
- P3 & Primavera
- SAP / ERP Platform

Career Summary

Arun is a **Contracts Management Professional** with over **40+ years** of multi-sector EPC **contract** experience and multi-cultural exposure.

Arun has worked with growing organisations focused on continuous development, directing and leading **teams** in a fast-paced, result-oriented environment to achieve overall corporate and business objectives, effectively utilising his professional experience, including **heading** a Business Vertical, managing the **P&L (Profit & Loss)** for EPC Project Operations, and EPC Project Execution in India and abroad.

Arun has over **40+ years** of rich experience in executive and general management, delivering EPC responsibility for business development, implementation, and execution of projects, including **Project Management, Engineering, Supply Chain, Construction, and Commissioning**, through multiple project teams at multiple sites in India and abroad.

The responsibilities delivered by Arun include:

- Heading Business Verticals, including acquiring and executing business.
- Business Development, Marketing, Sales, and Proposal Management for EPC/LSTK and Consultancy Services' Contracts.
- Management of **P&L** for EPC Project Operations, including presentations to the Board of Directors.
- Managing the achievement of **top-line and bottom-line** targets for the Business Unit (SBU) by controlling the day-to-day commercials and operations for all projects.
- Formulating strategies to set up and manage complex, matrix-type global project organisations.
- Exposure to **high-technology** environments.
- Project Management, Project Engineering, and Project Control of EPC Contracts.
- Turnkey (LSTK) Projects and Consultancy Services' Contracts for both Greenfield and Brownfield Projects.
- Multi-sector expertise, providing a broader vision of industries in India and abroad, including **Refineries, Oil & Gas, Petrochemical Plants, Water & Waste Management, Chemical Industries, Mineral Beneficiation, Power, Steel, Cement, Collieries, and Material Handling Plants**.
- Multi-cultural exposure, having worked in or with clients and contractors from **India, France, Germany, Japan, Russia, the USA, the Netherlands, Italy, Korea, Sri Lanka, Iran, South Africa, Zambia, the Middle East, and Oman**.
- Managing cross-functional personnel/teams, including Task Forces, for project execution.
- Influencing and motivating stakeholders and employees.
- Implementing quality procedures as per ISO and/or Good Engineering Practices.
- Commitment to, and ensuring, HSE compliance and enforcement.