

Understand the financial processes involved in  
tendering for and implementation of events  
Contracts

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LO4

Discuss the process  
involved in drawing up  
contracts

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LO4.1

# When is service contract or agreement needed?

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Business to business

Business to consumer

Agency to consumer

Direct contracting

Sub-contracting (Businessballs.com, 2016)

Rental services

Leasing



# Drawing up Contracts

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Agree on exactly what it is you wish to procure and what your limitations are in terms of budget, timeframes, etc. in order to develop tender documents

Specify your requirements

Determine how tenders should be submitted

Outline the selection criteria

# Writing Contract Specification

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Logical layout of terms

Requirements must be precise

Ambiguity should be avoided by ensuring punctuation and language are accurate

Avoid legal terms and phrases

Use 'shall' and 'must' instead of 'should' and 'is to'

Brevity

Let's Discuss

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What are some of the specifications of the contracts related to your event?

# Event Specification Guide

(The APEX Event Specifications Guide Template, 2005)

# Invitation of Tenders

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Prepare and publish tender notices/advertisements; issue invitations to tender

Open tenders on a specified date and time

Explain selection process and requirements

Invite tenders from enough suppliers to ensure there is adequate and genuine competition

Ensure procedures and documentation are clear and concise

Treat all suppliers in the same manner (Enterprise Ireland, 2016)

# Assessment Criteria

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Value for money over the lifetime of the contract

Cost and quality of work

Relevant knowledge and experience

Ability to work with community group

Examples of work / recommendations from previous customers

Understanding of overall project aims

Sensitivity to target group / work area

Suitability of proposed approach

Clear outcomes

# Customer Declaration Statements

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Some or all of these statements may be relevant to be included in a customer agreement:

I declare that to the best of my knowledge the details provided in this form are correct

I confirm that I am a resident of [specify country if relevant]

I confirm that I am the owner occupier of the property at the address detailed above

I understand that by signing this form I am agreeing to [insert details/section # as appropriate]

I understand that any costs associated with use of venue/equipment, repair work or ongoing maintenance are at my own risk [...insert details]

I understand that I will be required to pay [insert specific details]

# Contract Negotiation

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Compartmentalize the negotiation

Research

Using the standard approach

The goal-oriented approach

Take Control

Prioritize

Using a concession

Question approach

End on a positive note- separate facts from feelings

# Termination of Contract

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Performance

Express agreement

Breach

Impossibility of Performance



# Performance

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Fulfilment of contract is achieved when the parties to the contract completely carry out their obligations to each other

Limitation period

## Express Agreement

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Parties may agree that the contract should end automatically if some event occurs or after a fixed period of time has elapsed

# Describe the images below

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# Breach of Contract

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Breaches of contract which do not give the wronged party the right to end the contract but only entitle a claim to be made for monetary damages to make up for any loss suffered.

A party has made it clear that he will not carry out the contract

The party has not performed his obligations properly

# Remedies for Breach



(TS, 2011)

# Additional Reading

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[http://www.planlocal.org.uk/media/transfer/doc/planlocal\\_ee\\_5\\_contracts\\_agreements\\_tendering.pdf](http://www.planlocal.org.uk/media/transfer/doc/planlocal_ee_5_contracts_agreements_tendering.pdf)

<http://www.scribd.com/doc/29079415/Nature-of-Contract#scribd>

<https://www.ndsu.edu/pubweb/~saxowsky/aglawtextbk/chapters/contracts/contracts4.html>

# Reference

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Businessballs.com, (2016). *Service agreements and service supply trading contracts templates, samples and examples*. [online]

Available at:

[http://www.businessballs.com/service\\_agreements\\_contracts\\_templates.htm](http://www.businessballs.com/service_agreements_contracts_templates.htm).

Enterprise Ireland, (2016). *Guide to Tendering FOR PUBLIC SECTOR CONTRACTS*. 1st ed. [ebook] Available at:

[https://www.maynoothuniversity.ie/sites/default/files/assets/document/tender\\_pub\\_service.pdf](https://www.maynoothuniversity.ie/sites/default/files/assets/document/tender_pub_service.pdf).

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The APEX Event Specifications Guide Template. (2005). 1st ed. [ebook] Convention Industry Council. Available at:

[http://www.conventionindustry.org/Files/APEX/APEX Event Specifications Guide.pdf](http://www.conventionindustry.org/Files/APEX/APEX%20Event%20Specifications%20Guide.pdf).

TS, A. (2011). *Breach of contract (1)*. [online] Slideshare.net. Available at:

<http://www.slideshare.net/aravindcanon/breach-of-contract-1>.