

AfiTaC

*Advice for International
Tenders & Contracts*

“Contracts are our passion”

Companies, whether small or large, wish to do their business based on well-balanced contracts.

Your situation

You may be a large multinational company with considerable internal resources: a legal department, tax advisors, insurance experts, a risk management team etc. Still, sometimes you need support to change your ways of working, to overcome resource shortages or to bring new recruits up to speed.

If you are a small or medium sized company, you will not have too specialized resources as permanent staff. These would not be properly amortized in view of the size of your business. You may obtain support on a case by case basis.

As a project developer, you certainly need to staff your project team, even with temporary resources.

AfiTaC's mission

The mission of AfiTaC is to provide support to your internal resources: commercial & contract management support, expert advice, coaching & training of your team and transformation, or setting-up, of structured processes.

We will always work in a compliant way in respect of diversity, intellectual property and confidentiality.

We can support you with tenders and contracts in the following languages: English, French, Portuguese and Dutch.

AfiTaC's vision

AfiTaC's vision is that commercial & contractual relationships should be based on trust & respect, with clarity & focus and balanced responsibilities. They should be win-win relationships for the long-term.

Services

AfiTaC can provide you with the following services:

- Tender Advice
- Negotiation Support
- Contract & Risk Management
- Coaching and Training
- Process Optimization
- Alternative Dispute Resolution

Tender Advice

The first step to getting a well-balanced contract is efficient tendering in any form:

- International competitive bidding,
- Participation to a procurement process / replying to an RfQ,
- Direct negotiation.

AfiTaC will support you to analyze the bidding documents, identify and mitigate the risks, propose wording to be included in your proposal and can handle the entire bid preparation process.

Negotiation Support

AfiTaC can actively participate in your negotiations. External legal advisers often have an aggressive approach, forcefully defending their client's interests. Such approach can make your clients hesitate to do business with you. Probably, you also feel that this is commercially a delicate situation. AfiTaC, based on extensive negotiation experience, promotes a more result-oriented approach. Compromises will be found between your needs and your clients' interests. Clients value such a non-conflictual approach.

Contract & Risk Management

You may be in any of the following situations:

- You have an ongoing contract and want an external audit.
- You are tendering and wish to clearly understand the risks you will be facing.
- Your company wants to start managing risks in a more pro-active way.
- You want to improve your relationship with your clients, move away from conflict and find balanced compromises.
- You are going to propose change orders to your client or perform value engineering.

In all these situations, AfiTaC can support you by auditing your contracts, identifying risks, establishing action plans with mitigation measures, suggesting appropriate communication etc.

Coaching and Training

Changing, growing, improving and developing your staff is what you want:

- Your company regularly works, or intends to do so, with international contract standards (FIDIC, World Bank, NEC3 etc.).
- Your teams are expanding, you have new-comers or want to consolidate the team's knowledge on international business.
- You want to expose your teams to realistic case studies, as a preparation for negotiations, or extend their experience with the help of a coach.

AfiTaC can help you to identify your needs and propose adapted coaching and training.

Process Optimization

You want to be better organized. AfiTaC will engage with you through the following approach with several steps:

1. Establish your current best practices,
2. Where gaps are identified, propose complementary solutions based on well-established ways of working in the industry,
3. Transform and consolidate with well-established processes, standard working documents, a clear Risk & Mitigation questionnaire, action plans, etc.

This will make you more efficient, faster, better, less risky, more pro-active, more stable.

An example is TRaCRs, a tool, created by AfiTaC, to analyze your commercial and contractual exposure in tenders and contracts. By using it, you will understand the risks involved in your tender/contract, take Go/No Go decisions, make adequate provisions and adjust your margin.

TRaCRs by AfiTaC
Tender Risk and Contract Review system

Alternative Dispute Resolution

Jan Bouckaert can be named as an arbitrator or a dispute adjudicator (FIDIC DAB/DAAB).

