



Australian Government

Department of Education, Employment and Workplace Relations

TLIR307C Negotiate a contract

Release: 1

TLIR307C Negotiate a contract

Modification History

Not applicable.

Unit Descriptor

This unit involves the skills and knowledge required to contract transport and distribution services in accordance with relevant regulatory requirements and workplace procedures. This includes negotiating the contract with a contractor, finalising the contract negotiations, and completing all enterprise contract requirements.

Application of the Unit

Work must be carried out in compliance with the relevant regulations, standards, legal requirements and codes of practice.

Work is under general guidance on progress and outcomes of work. It requires discretion and judgement for self and others in planning and using resources, services and processes to achieve required outcomes within workplace policy and procedures.

A range of opportunities may be used to develop the work area and to support the development of work systems, innovative strategies to deal with contingencies and to encourage the achievement of the workplaces goals and key performance objectives by the work area and the individuals and teams within it.

The unit generally applies to those with responsibility for resource coordination and allocation and who provide leadership of others individually or in teams.

Licensing/Regulatory Information

Not applicable.

Pre-Requisites

Not applicable.

Employability Skills Information

The required outcomes described in this unit of competency contain applicable facets of Employability Skills. The Employability Skills Summary of the qualification in which this competency is packaged will assist in identifying employability skill requirements.

Elements and Performance Criteria Pre-Content

Elements describe the essential outcomes of a unit of competency.

Performance criteria describe the required performance needed to demonstrate achievement of the element. Assessment of performance is to be consistent with the evidence guide.

Elements and Performance Criteria

Elements and Performance Criteria

Element	Performance Criteria
1 Negotiate contract with contractor	1.1 Requirements of the contract are clearly documented and understood by the relevant parties
	1.2 Areas of ambiguity or concern are clarified and resolved
	1.3 Negotiations are undertaken with selected contractor for the contracting of required goods/services on a 'without prejudice' basis
	1.4 Conditions for service and/or supply of goods/services are agreed between the enterprise and the contractor including the determination of key performance indicators
	1.5 Alternative contractors are negotiated with if agreement is unable to be reached with preferred contractor
	1.6 Contract negotiations conform to established workplace requirements and relevant legislation
2 Complete contract negotiations	2.1 Contract documentation is drafted in accordance with relevant legislation, workplace procedures and negotiated conditions of service and supply
	2.2 Technical support in the drafting of contracts is accessed where required
	2.3 Contract documentation is signed and exchanged between the relevant parties
3 Complete enterprise contract requirements	3.1 Documentation systems are established to ensure traceability of orders and financial transactions
	3.2 Workplace systems that require interaction with contractors are identified and actioned

- 3.3 Quality assurance procedures for supplied goods/services are initiated
- 3.4 Contract and ancillary documentation is completed and stored in accordance with workplace procedures and, where applicable, regulatory requirements

Required Skills and Knowledge

REQUIRED KNOWLEDGE AND SKILLS

This describes the essential knowledge and skills and their level required for this unit.

Required knowledge:

Regulations, codes of practice and legal requirements relevant to contractual arrangements

Relevant OH&S and environmental protection procedures and regulations

Workplace procedures for the negotiation of a contract

Problems that may occur during the negotiation of a contract and action that can be taken to report or resolve the problems

Risks that may exist when negotiating a contract and ways of controlling the risks involved

Focus of operation supply arrangements, resources, management and workplace operating systems

Applicable aspects of contract law

Processes for contract formulation and negotiation

Workplace business policies and plans including procedures for maintenance of confidentiality

Equipment applications, capacities, and configurations

Resource availability including the competencies of individuals in the team/group

Relevant contract documentation requirements

Required skills:

Communicate effectively with others when negotiating a contract

Read and interpret instructions, procedures, information and regulatory requirements relevant to the negotiation of a contract

Prioritise work and coordinate self and others in relation to workplace activities

Complete documentation related to the negotiation of a contract

Operate electronic communication equipment to required protocol

Provide leadership and work collaboratively with others when negotiating a contract

Adapt appropriately to cultural differences in the workplace, including modes of behaviour and interactions with others

Promptly report and/or rectify any identified problems that may arise when negotiating a contract in accordance with regulatory requirements and workplace procedures

Apply precautions and required action to minimise, control or eliminate risks that may exist when negotiating a contract

Plan and organise work activities

Monitor work activities in terms of planned schedule

Modify activities to cater for variations in workplace contexts and environment

Work systematically with required attention to detail without injury to self or others, or damage to goods or equipment

Select and apply appropriate technology and information systems

Adapt to differences in equipment in accordance with standard operating procedures

Evidence Guide

The evidence guide provides advice on assessment and must be read in conjunction with the performance criteria, required knowledge and skills, the range statement and the assessment guidelines for this Training Package.

Critical aspects for assessment and evidence required to demonstrate competency in this unit

The evidence required to demonstrate competency in this unit must be relevant to and satisfy all of the requirements of the elements and performance criteria of this unit and include demonstration of applying:

the underpinning knowledge and skills

relevant legislation and workplace procedures

other relevant aspects of the range statement

Context of and specific resources for assessment

Performance is demonstrated consistently over a period of time and in a suitable range of contexts

Resources for assessment include:

a range of relevant exercises, case studies and other simulated practical and knowledge assessment, and/or

access to an appropriate range of relevant operational situations in the workplace

In both real and simulated environments, access is required to:

relevant and appropriate materials and/or equipment, and/or

applicable documentation including workplace procedures, regulations, codes of practice and operation manuals

Method of assessment

Assessment of this unit must be undertaken by a registered training organisation

As a minimum, assessment of knowledge must be conducted through appropriate written/oral tests

Practical assessment must occur:

through appropriately simulated activities at

the registered training organisation, and/or
in an appropriate range of situations in the
workplace

Range Statement

RANGE STATEMENT

The range statement relates to the unit of competency as a whole. It allows for different work environments and situations that may affect performance.

Work may be undertaken:	in various work environments in warehousing, storage, transport and distribution industries
Customers may be:	internal or external
Operations may be conducted:	by day or night
The workplace environment may involve:	twenty-four hour operation single and multi-site location large, medium and small workplaces
Services, products, risks, work systems and requirements:	potentially vary in different sections of the enterprise
Contracts may be for:	singular or continuous supply of goods and/or services
Document/data interchange may be:	electronic paper-based
Clients/customers/suppliers may include:	domestic and international contractors corporations individuals government agencies
Contract must conform to:	relevant legislation in regard to issues of probity and fair dealings
Consultative processes may involve:	employees, supervisors and managers contractors suppliers and current or potential clients legal representatives, financial managers, accountants relevant authorities, government departments and institutions representatives of other enterprises and organisations related to the international

	transfer of freight
	industrial relations and OH&S specialists
	other professional, maintenance and technical staff
Communications systems may involve:	fixed and mobile telephone
	radio
	fax
	email
	electronic data transfer of information
	mail, forms and internal memos
Depending on the type of organisation concerned and the local terminology used, workplace procedures may include:	company procedures
	enterprise procedures
	organisational procedures
	established procedures
Documentation/records may include:	codes of practice and regulations relevant to the transport and distribution contractual arrangements
	legal and contract documentation
	workplace operating procedures and policies
	operations manuals, job specifications and procedures and induction documentation
	supplier and/or client instructions
	Australian and International standards, criteria and certification requirements
	communications technology equipment and oral, aural or signed communications
	quality assurance standards and procedures
	emergency procedures
	relevant competency standards and training materials
	QA plans, data and document control
	conditions of service, legislation and industrial agreements including workplace agreements and awards
Applicable procedures and codes may	regulations and codes of practice relevant to

include:

contractual arrangements

Australian and international regulations and codes of practice for the handling and transfer of dangerous goods and hazardous substances

relevant financial regulations

Australian and international standards and certification requirements

relevant state/territory OH&S legislation

relevant state/territory environmental protection legislation

relevant licence or permit requirements and associated regulations

relevant workplace relations legislation

relevant workers compensation legislation

equal opportunity, equal employment opportunity and affirmative action legislation

Unit Sector(s)

Not applicable.

Competency Field

R - Contract Procurement