Goals for Today

• Help you understand what IACCM is and how we can help you

• Start you thinking how you wish to take full advantage of IACCM
  • Can I use the skills & competency development programs?
  • Should be involved in which Communities of Interest?
  • How can I become involved in the Conferences, Innovation & Excellence Awards,
  • Is there any research I would benefit from participating in?

• Make you enthusiastic about encouraging your colleagues, friends, family to also take full advantage of the IACCM and the unique global community it represents: Research reports, Ask-the-Expert webcasts, blogs, ezine, forum, ...
About the IACCM

IACCM is a non-profit, cross-industry association and is the global forum for innovation in trading relationships and practices.

Dedicated to raising the quality and integrity of trading relationships worldwide

With over 40,000 members from more than 13,000 organizations in 164 countries

Providing standards, assuring capabilities, leading research, certifying performance

Our mission is to identify and promote the international standards and practices for defining and managing trading relationships. We develop and communicate leading practices that support economic growth and organizational success by ensuring commitments are ethical, achievable and sustainable – and met.
Our Goal

For our corporate members, we help improve the value and sustainability of their trading relationships.

For our individual members, we provide the skills and knowledge that raise their status, influence and business contribution.
Growing Importance of Complex Services

Many of our members come to IACCM for its greater relevance in the complex services space:

Collaborative relationships and new commercial models – relational, agile, performance-based...
### “As a Service” – Not What You Expected

- See January 5 Ask The Expert (ATE) webinar.

<table>
<thead>
<tr>
<th><strong>Buyer Expectation</strong></th>
<th><strong>Reality</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Cheaper than on-premises</td>
<td>May be more expensive</td>
</tr>
<tr>
<td>Contract will be on buyer’s paper</td>
<td>Contract on supplier paper</td>
</tr>
<tr>
<td>“Try before committing”</td>
<td>“Commit then try”</td>
</tr>
<tr>
<td>Transition assistance</td>
<td>Self-service data exports</td>
</tr>
<tr>
<td>Scale up and scale down easily</td>
<td>Depends on delivery model</td>
</tr>
<tr>
<td>Dictate data location; no changes</td>
<td>Rely on 3rd party audit(s)</td>
</tr>
<tr>
<td>Traditional benchmarking</td>
<td>Changes; customer can limit to region</td>
</tr>
<tr>
<td>Negotiate price</td>
<td>Transparent pricing</td>
</tr>
<tr>
<td></td>
<td>Manage consumption</td>
</tr>
</tbody>
</table>
Stemming the Value Leakage

We help you work out where you are and what to do to get to the next level:

**Capability**
- Workshop **Improvements** to prioritize capability building, to close gaps
- Contract Design
- Relational Contracting Workshops

**People Skill Development**
- Workshops to prioritize skills development
- CCM Certifications
- SRM
- Organizational Design

“Our right path to commercial excellence became easier to see when we insisted that capability and competence move hand-in-hand and side-by-side. As the journey continues, our increasingly competent people demanded increasingly smart contract management processes. This was not an unrealistic expectation, it is a non-negotiable journey to excellence.” IACCM Member
Average Loss of 9.15% of Revenue

- Disagreements over contract scope: 9.5%
- Disagreements over what was committed: EMEA 8.5%, ASIA 8.5%
- Weaknesses in contract change management: 9.5%
- Inappropriate contract structure or responsibilities: ASIA 13%
The Ten Pitfalls of Contracting

1. Lack of clarity on scope and goals
   - Result: Cause of claims/disputes

2. Legal/contract team not involved early enough
   - Result: Wrong form of contract & extended lead time

3. Failure to engage stakeholders
   - Result: Misaligned interests and future opposition

4. Protracted negotiations
   - Result: Competitive exposure & delayed revenues

5. Negotiations focus on the wrong terms and risks
   - Result: Loss of economic benefit; contract a weapon

6. Contracts lack flexibility. Insufficient focus on governance
   - Result: Performance management dominated by blame/fault

7. Contracts difficult to use or understand
   - Result: Users see contract as irrelevant to business needs

8. Poor handover from deal team to implementation team
   - Result: Commitment & obligations missed & misunderstood

9. Limited use of contract technology
   - Result: Inefficiency and loss of quality in performance and analysis

10. Poor post award processes and governance
    - Result: Repetitive issues and errors causing value loss

Average value erosion: 9.15%
How IACCM Can Help

• Baseline where you are now
  • Capability Maturity Model assessment, Skills assessments,
  • Contract Benchmarking,
  • Process & Systems assessments,
  • Workshops to determine how to proceed

• Build capability
  • Training & Certification cohorts,
  • Contract Management for non-CM,
  • Contract Design,
  • New Contracting Models Workshops

• Informal Learning & Community (Remain connected to what is happening in this rapidly changing space)
  • Annual Conferences, ♦ Communities of Interest,
  • Ask The Expert (ATE) & Webcasts, ♦ Commitment Matters Blog,
  • Contracting Excellence e-zine, ♦ Research
  • JSCAN, ♦ Innovation & other Awards,

• Executive community – quarterly webcasts, special conference programs, special access to IACCM leadership
# The Capability Maturity Assessment

<table>
<thead>
<tr>
<th>Assessment Criteria</th>
<th>1 Start-up</th>
<th>2 Under Development</th>
<th>3 Discipline is Functional</th>
<th>4 Continuous Improvement</th>
<th>5 World Class</th>
</tr>
</thead>
<tbody>
<tr>
<td>Leadership</td>
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<tr>
<td>Customer/ Supplier experience</td>
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<tr>
<td>Execution &amp; delivery</td>
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<tr>
<td>Solution requirements management</td>
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<tr>
<td>Financial</td>
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<tr>
<td>Information systems &amp; knowledge management</td>
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<tr>
<td>Risk management</td>
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<tr>
<td>Strategy</td>
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<tr>
<td>People development</td>
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</tbody>
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**CMM Assessment**

- Current Contracting Capability
- Contracting Goals & Business Objectives
- Implementation Roadmap
- Execution

**Operational Alternatives**

- Re-evaluation and Improvement Building Towards Maturity
# IACCM Skills Development for Each Stakeholder Group

<table>
<thead>
<tr>
<th>Stakeholder</th>
<th>Business (Execution)</th>
<th>Contract &amp; Commercial Management</th>
</tr>
</thead>
<tbody>
<tr>
<td>Leadership</td>
<td>LOB Leader(s)</td>
<td>Functional Leader</td>
</tr>
<tr>
<td>IACCM Skills Development</td>
<td>Commercial Leadership</td>
<td>IACCM Fellow</td>
</tr>
<tr>
<td>Strategic Deals</td>
<td>Contract Owners</td>
<td>Senior Contract Manager</td>
</tr>
<tr>
<td>IACCM Skills Development</td>
<td>IACCM Contract Owners</td>
<td>IACCM CCME/SRMAP/ E, CCM MBA</td>
</tr>
<tr>
<td>Complex Deals</td>
<td>(Contract) Manager</td>
<td>Contract Manager</td>
</tr>
<tr>
<td>IACCM Skills Development</td>
<td>IACCM CCMA/CCMP, MBA</td>
<td>IACCM CCMAP/SRMP, CCM MBA</td>
</tr>
<tr>
<td>Tactical Deals</td>
<td>Day-to-day coordination</td>
<td>Contract Administrator</td>
</tr>
<tr>
<td>IACCM Skills Development</td>
<td>MOOC, IACCM Fundamentals, O&amp;G course</td>
<td>MOOC, IACCM CCMP, Oil &amp; Gas course</td>
</tr>
</tbody>
</table>

These programs can be offered online only, in blended online and instructor led curricula, and fully in person training. Enhancing the cohort tempo with senior management briefings on company specific issues has been very effective.
**IACCM Contract & Commercial Certification Requirements**

- **Contract and Commercial Management Associate (CCMA)**
  - Module tests – 80% pass score leading to Certificate of Completion
  - Optional 40 min/45 questions on-line Final Examination leading to CCMA certification

- **Contract and Commercial Management Practitioner (CCMP)**
  - Active IACCM Membership
  - Self-Assessment Scores validated at Advanced Practitioner Level
  - Practitioner Curriculum Modules Test – 80% pass score
  - 5 Message Board postings
  - Certification Examination – 80% pass score

- **Contract and Commercial Management Advanced Practitioner (CCMAP)**
  - Active IACCM Membership
  - Self-Assessment Scores validated at Advanced Practitioner Level
  - Advanced Practitioner Curriculum Modules Test – 80% pass score
  - 5 Message Board postings
  - Certification Examination – 80% pass score

- **Contract and Commercial Management Expert (CCME)**
  - Active IACCM Membership
  - Self-Assessment Scores validated at Expert Level
  - Advanced Practitioner Curriculum Modules Test – 80% pass score
  - 5 Message Board postings
  - Certification Examination – 80% pass score
  - Case Study submission 30 points pass score
  - Business case presentation
<table>
<thead>
<tr>
<th>Assessment: 23 Skills &amp; Competencies, 10 Background Items</th>
<th></th>
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</thead>
<tbody>
<tr>
<td><strong>Business Acumen</strong></td>
<td><strong>General Experience</strong></td>
</tr>
<tr>
<td>Identifying / Acting on Opportunities for Change</td>
<td>Supplier Relationship Management</td>
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<tr>
<td>Knowledge of Business and Commercial Practices</td>
<td>Other Function</td>
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<tr>
<td>Analytical</td>
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<tr>
<td>Financial Principles and Impact of Issues / Decisions</td>
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<tr>
<td>Understanding of Goals and Strategies</td>
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<tr>
<td>Knowledge of Products and Services</td>
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<tr>
<td>Organizational Awareness</td>
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<tr>
<td><strong>Technical</strong></td>
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<tr>
<td>Risk Management</td>
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<tr>
<td>Understanding Commercial and Contract Terms and Conditions</td>
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<tr>
<td>Negotiation</td>
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<tr>
<td>Post-Award Contract Management</td>
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<tr>
<td>Vendor Analysis and Selection</td>
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<tr>
<td>Ability to Direct Deal Shaping and Commercial Strategy</td>
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<tr>
<td><strong>Personal / Interpersonal Skills</strong></td>
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<tr>
<td>Communications</td>
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<tr>
<td>Commitment to Change and Personal Development</td>
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<tr>
<td>Problem Solving</td>
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<tr>
<td>Interpersonal Relationships</td>
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<tr>
<td>Teamwork</td>
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<td>Time Management</td>
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<tr>
<td>Commitment to Strategic Thinking</td>
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<tr>
<td>Ability to Motivate / Gain Agreement in Multi-Cultural Teams</td>
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<tr>
<td>Leadership</td>
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<tr>
<td>Influencing Others</td>
<td></td>
</tr>
<tr>
<td><strong>Education &amp; Training</strong></td>
<td><strong>Professional Contribution</strong></td>
</tr>
<tr>
<td>Education Level</td>
<td>Speeches Given</td>
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<tr>
<td>Professional Certification</td>
<td>Articles Published</td>
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<tr>
<td>Continuing Professional Development (CPD)</td>
<td>Mentoring Responsibilities</td>
</tr>
<tr>
<td></td>
<td>Courses Taught</td>
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<tr>
<td></td>
<td>Committees</td>
</tr>
</tbody>
</table>
The Right Skills

- Measure competences
- Benchmark against others in your industry
- Management tool to assess skill sets and training investment
- Measure improvements and trends over time
- Model used by over 8,000 individuals worldwide
A Broader Skills Assessment is Available

- Benchmark against 8,000 contracting professionals across the globe.
- Ability to add specific competencies to core of 42 skills & competencies
## CCM Associate Curriculum

31 Modules across the 5 stages of the contracting process

<table>
<thead>
<tr>
<th>INITIATE</th>
<th>BID</th>
<th>DEVELOP</th>
<th>NEGOTIATE</th>
<th>MANAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>• C&amp;CM Introduction</td>
<td>• RFI, RFP, RFQ</td>
<td>• Contract and Relationship Types</td>
<td>• Negotiation Planning, Overview and Objectives</td>
<td>• Implementation and Communication</td>
</tr>
<tr>
<td></td>
<td>• Responding to RFPs</td>
<td>• Terms and Conditions Overview</td>
<td>• Framing, Strategy and Goals</td>
<td>• Monitoring and Performance Management</td>
</tr>
<tr>
<td></td>
<td>• Bid Process and Rules</td>
<td>• Partnerships, Alliances and Distribution</td>
<td>• Negotiation Styles</td>
<td>• Contract Change Management</td>
</tr>
<tr>
<td></td>
<td>• The Influence of Laws on the Bid Process</td>
<td>• SOW / SLA Production</td>
<td>• Pricing and Financial Considerations</td>
<td>• Dispute Handling and Resolution</td>
</tr>
<tr>
<td></td>
<td>• Evaluation Criteria</td>
<td>• Drafting Guidelines and Considerations</td>
<td>• Tactics, Tricks and Lessons Learned</td>
<td>• Contract Close Out</td>
</tr>
<tr>
<td></td>
<td>• Stakeholder Management</td>
<td>• Other Strategic Considerations</td>
<td>•</td>
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</tr>
<tr>
<td></td>
<td>• Understanding Markets and Opportunities</td>
<td></td>
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</tr>
<tr>
<td>• Contract Administration</td>
<td></td>
<td></td>
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<tr>
<td>• Requirements Definition</td>
<td></td>
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<tr>
<td>• Cost Benefit Analysis</td>
<td></td>
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<tr>
<td>• Sourcing Options</td>
<td></td>
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<tr>
<td>• Undertaking a Terms Audit</td>
<td></td>
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<tr>
<td>• Cost Identification</td>
<td></td>
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</tbody>
</table>
# CCM Advanced Curriculum

## 29 Modules Contracts and Relationships

<table>
<thead>
<tr>
<th>PERSONAL / INTERPERSONAL SKILLS</th>
<th>BUSINESS ACUMEN</th>
<th>TECHNICAL</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>INTRODUCTORY MODULE ON COMMERCIAL EXCELLENCE</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CCM Leadership and Becoming a Trusted Advisor</td>
<td>Avoiding the Top Ten Pitfalls</td>
<td>Intellectual Property</td>
</tr>
<tr>
<td>Communication Visualization and Design</td>
<td>Managing and Mitigating Cost and Risk</td>
<td>Competition and Anti-trust</td>
</tr>
<tr>
<td>Negotiating, including Virtual Negotiations</td>
<td>Financial Awareness</td>
<td>Using Technology to Become More Effective</td>
</tr>
<tr>
<td>Customer Relationship Management (CRM)</td>
<td>Simplification of Contracts and Processes, including Streamlining Contracting</td>
<td>Relational and Outcome-based Contracting</td>
</tr>
<tr>
<td>Supplier Relationship Management (SRM)</td>
<td>Benchmarking</td>
<td>Governance and Standards</td>
</tr>
<tr>
<td>The Impact of Culture on Trading Relationships</td>
<td>Government Contracting / Public Procurement</td>
<td>Outsourcing Strategies and Tools</td>
</tr>
<tr>
<td>Interactive Case Study: Negotiation</td>
<td>Third Party Channels</td>
<td>International Trading</td>
</tr>
<tr>
<td></td>
<td>Ethics, Compliance and Sustainability</td>
<td>Advanced Contract Drafting</td>
</tr>
<tr>
<td></td>
<td>Interactive Case Study: Workgroup analysis</td>
<td>Industries and Contract Types</td>
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</table>

©2016 IACCM
I recently registered for my training via IACCM for Contracts and Commercial Management certificate. After I completed my initial evaluation, I was recommended to upgrade and actually take the Advanced CCM program, which I am currently marshaling on diligently and with great pleasure and interest towards completion.

While I am covering the materials and tests of this advanced program, I am also interested to actually see the modules of the basic CCM program, which I initially applied for.

Otherwise, I want to take this opportunity and express my great appreciation for the excellence and high quality of the materials and modules I am just discovering via your quality forum and training program.

Glad I decided to pursue. I couldn't expect more, really a pleasure to go over.

This confirms to me one more time the quality and professionalism of your programs, making it a great platform for any professionals in these fields to connect and raise the bar.

Lucia Galdian
Supplier Relationship Management Certification

**Practitioner Level**
- **Focus:** Develop knowledge in a comprehensive range of SRM topical areas.
- **Delivery:** Self-directed e-learning through 22 self-paced on-line modules.
- **Certification Process:**
  - Complete and pass the test included with each e-learning module.
  - Achieve a pass in the on-line exam.

**Advanced Practitioner Level**
- **Focus:** Apply knowledge and develop behaviours that demonstrate successful application of SRM within a supplier relationship.
- **Delivery:**
  - For individuals: Remotely delivered (e.g. via Webex) instructor led tutorials. Cohort based.
  - For companies: In-house delivery of the modules in an interactive workshop format.
- **Certification Process:**
  - Complete practitioner level training modules.
  - Successful submission of course assignments (e.g. stakeholder map, supplier scorecard, joint account plan etc.) to the required standard.

**Expert level**
- **Focus:** Demonstrating quantified business value through application of the learning program to a supplier relationship. Develop the ability to coach and guide others in the use of SRM techniques and methods.
- **Delivery:**
  - Individualised assignment/case study based - supported by regular coaching against a personal action plan.
- **Certification Process:**
  - Prepare a case study presentation using a set of defined guidelines and criteria.
  - Present case study to a review panel.
  - Demonstrate contribution to the SRM body of knowledge (e.g. deliver a webinar, contribute a whitepaper).
Legal writing is dull, boring and abstruse:
- Contracts are long, dull, boring, irrelevant
- Why should I read them? They are all the same
- They are made for lawyers for lawyers
- They give us no choice but to agree
- They are unusable, bureaucratic, and best ignored – at least until something goes wrong

**Result: contracts are not read, even less understood.**

There are two things wrong with most legal writing. One is style, the other is content. The language of the law is wordy, unclear, pompous, and dull, and is written for other lawyers. They should be written for the people in charge of the agreement’s implementation.

“I teach law at Harvard Law School, and I can’t understand my credit card contract. I just can’t. It is not designed to be read.”

Elizabeth Warren, Professor of Law, Harvard Law School

Source: “Contract Visualization – boost your brand and bridge the language barrier,” Stefania Passera, MA; Contracting Excellence, December 9, 2014
Why Have Clear Contracts?

• It demonstrates your commitment to ease of doing business

• It has been shown to reduce cycle time negotiating and rewording your contracts

• It encourages the use of contracts as a tool supporting collaborative relationships

• It reduces disputes caused by lack of clarity in terms

• It reduces business risks – for example: speeding the implementation process and reducing the probability that contracts are either ignored or misinterpreted
Language Criteria: How understandable are the words in your contract?

- We look for everyday words, direct language and short sentences. The text must also be coherent – avoid frequent references to other documents that the reader may not have or be able to find.

Design Criteria: Does the design make the contract structure clear and easy to read?

- We look for a legible font, generous line spacing and margins; for good visual organization, with sections and sub-sections easy to find; and for diagrams, bullet lists and tables where they make the content clearer.

Relationship Criteria: Does your document help cultivate a positive relationship among the contracting parties?

- We look for a document that is appropriate to the knowledge and skills of its readers, whether they are professionals, small business owners or citizens. We look for clear contact points, and ways to resolve issues.

Content Criteria: What is your content and is it organized to deliver your document's purpose?

- Is the content customized and relevant to the recipient, or is it dominated by generic clauses that require interpretation? Is the scope clear, and is it clear what actions are required, and on what occasions?

Balance: Do the terms of your contract generate a sense of collaboration and trust?

- Is the document in both parties’ mutual interest, or is it one-sided when it comes to dispute resolution, responsibilities, the right to change or terminate? Does it provide mechanisms to avoid and prevent disputes?
What We Look At

Purchaser/Supplier Swimlanes
- Before the service can start
- General obligations in service provision
- Additional obligations
- Service quality and monitoring
- IPR
- Confidentiality and privacy
- Register of personnel
- Managing changes

Flowcharts
- Prices & price changes
- Payments and delays in payment
- Defects
- Delay in service provision (due to the supplier or purchaser)
- Force majeure

Timelines
- Contract duration and end
- Termination
- Immediate termination
- Cancellation
IACCM Contracting Principles

Library of contract principles created by peers

“These principles are intended to reduce or eliminate the need for negotiation on these issues and shorten cycle time to signature. Participants who accept these IACCM Contracting Principles are free to use them on a case by case basis and as they deem appropriate; however, it is expected that the benefits of their use will be maximized when both parties to a transaction agree to rely on them and draft the relevant clauses accordingly.”
The Six Initial Principles

IACCM Contracting Principles
- Introduction
- Definitions
- General Concepts
- Contracting Principles

- INTELLECTUAL PROPERTY RIGHTS & INDEMNIFICATION FOR THIRD PARTY IP CLAIMS
- CUSTOMER AUDIT OF SUPPLIERS
- DATA SECURITY AND PRIVACY
- INDEMNIFICATION OF THIRD PARTY CLAIMS (EXCLUDING INTELLECTUAL PROPERTY CLAIMS)
- SLA REMEDIES
- LIMITATIONS OF AND EXCLUSIONS FROM LIABILITY
Global Benchmarks – Appropriate Resourcing

If there is a dedicated contract/commercial staff, what is the head to revenue ratio (1: million $)

- Less than 500 Million: $47
- 500 Million to 1 Billion: $75
- 1 Billion to 5 Billion: $98
- 5 Billion to 10 Billion: $119
- 10 Billion to 15 Billion: $125
- 15 Billion to 20 Billion: $158
- 20 Billion to 30 Billion: $172
- 30 Billion to 40 Billion: $170
- 40 Billion to 50 Billion: $225
- 50 Billion and over: $260
How will we need to act differently in 2020?

What can I learn from others – and other industries?

How can I improve and demonstrate ROI from contracting?

What do the best do differently today?
Sponsoring Original Academic Research

Get your complimentary copy of JSCAN now!

DOWNLOAD

This first edition is available to all IACCM Members – future editions are for paid members only.

READ MORE
IACCM – *International Association for Contract & Commercial Management*

The Global Authority on Commitment Management®

IACCM Events

**Massive Open Online Course - Contract Management: Build Relationships in Business | June 19, 2017**

**IACCM’s 7th Annual Australasia Conference | July 31-August 1 2017 | Crown Hotel, Melbourne**

**IACCM’s 15th Annual Americas Conference | October 11-13, 2017 | The Westin Harbour Castle, Toronto**
Global Communities of Interest

- Automation & Emerging Technologies
- Banking and finance
- Commercialization for start-up businesses
- Conflict Management and Dispute Resolution
- Consortium of vendor and client reps
- Contract Drafting
- Contract Lifecycle Management
- Contract Performance Management
- Contract Visualization
- Contracts Management Practice and Policies
- Data Processing / Cybersecurity / Data Privacy
- Driving Innovation and Transformation through Contracting
- Economic Value of Contracting and Contract Management
- e-Contracting

- Global Procurement
- Indirect Procurement
- IT / Technology Sector
- legal and contract management communities
- Legal Operations
- Governance & Transformation
- Maritime Systems Division space
- Members that are not JDs
- Negotiation
- Outsourcing and Supplier Engagement
- Relational Contracting
- Risk Management
- Small scale manufacturers
- Startup/emerging tech community
- Supplier Relationship Management
- Telecommunications
- Using distributors and/or manufacturer's reps
How to Take Advantage of What IACCM can Offer

Take advantage of these opportunities, included in your membership:

• Listen to at least one **Ask The Expert (ATE)** or Thought Leadership webcast every month, either live, or afterwards at your convenience.

• Read at least one **Research Report** every month

• Check out the **Commitment matters blog** every month

• Check out the **Contracting Excellence** ezine every month

• Join at least one **Community of Interest (COI)**

• Check out the **IACCM Forum** at least once a month. Please post a query to see what kind of response you get

• Attend a local member meeting and/or a regional conference

• Read the **top pitfalls** and find 3 things you can do differently in your job that will improve your commercial outcomes.
IACCM Corporate Membership Summary

- Benchmark your contracting process; identify the investment case for streamlining your process and function
- Assess the skills of your people; identify gaps relative to your key competitors or trading partners
- Compare your performance; obtain specific operational benchmarks to gauge efficiency and effectiveness
- Understand emerging contract models; gain insight to key market trends and innovations in commercial offerings and contract terms and structures
- Boost your credibility; benefit from unique research programs that make you the undisputed authority for contract and commercial trends
- Raise functional performance and status; invest in high impact training and professional certification
Now, Let’s Have a Look at The Website
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