



CI

The Canadian Institute

Business Information in a Global Context

This year marks 30 years since the inception of The Canadian Institute. It is time to match our brand with the dynamic strides we have made. See inside for details...

September 28–29, 2016 | One King West | Toronto

EARN CPD HOURS

# The Canadian Institute's Conference on CONTRACT PERFORMANCE MANAGEMENT

## Setting Benchmarks for High Performance Outcomes

Gain a competitive edge with a program designed to offer you innovative ideas, hands-on tips and practical insights on contract performance management.

- Tap into cross-industry networking opportunities with speakers from industries as diverse as banking, construction, retail, telecommunications and utilities
- Learn to skillfully navigate contract performance management issues and avoid litigation
- Hear about best practices for using the right measures to monitor your contracts
- Discover how to buck the status quo and create a win-win situation for vendors and end users alike through innovative collaboration techniques
- Get an insider's view of the most pressing issues influencing procurement contracts in Canada
- Implement your learnings to ensure that your contracts provide value for money every time!

Benefit from the collective wisdom of your peers working in contract management. Hear from leading organizations, including:

- |                     |                                    |
|---------------------|------------------------------------|
| 3M Canada Company   | City of Ottawa                     |
| The Brick Group     | Cogeco Connexion                   |
| Bruce Power         | Greater Toronto Airports Authority |
| Celestica           | Infrastructure Ontario             |
| CH2M Hill           | Microsoft Canada                   |
| CIBC World Markets  | Ontario Telemedicine Network       |
| City of Brampton    | Plains Midstream Canada            |
| City of Mississauga |                                    |

PLUS! Maximize your learning experience by participating in our in-depth, interactive workshops:

**A** Your A to Z Guide to Complex Contracts: How to Ensure they are Managed Effectively

**B** Dispute Resolution Strategies with Role-Playing Exercises to Improve your NQ (Negotiation Quotient)

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# Your Step-by-Step Guide to Contracts that Win

## Speaker Faculty

John Alexis  
Director of IT Services  
Greater Toronto Airports Authority

Edward (Ted) Betts  
Partner, **Gowling WLG**

Hartley Borst  
Legal Counsel, **City of Brampton**

Brendan Bowles  
Managing Partner, **Glaholt LLP**

John Conley  
Strategic Sourcing Consultant

Richard Corley  
Partner, **Goodmans LLP**

Rob Ellis  
Vice President & Assistant General Counsel  
**Celestica**

Carolyn Francis  
Director of Contracts, Canada, **CH2M Hill Canada Limited**

Erin Geldard  
Chief Procurement Officer, **Cogeco Connexion**

Andrew Grantham  
Senior Economist, **CIBC World Markets**

Jeff Griffith  
Consultant, Sourcing & Placement

Wendy Law  
Deputy City Solicitor, **City of Mississauga**

Janice Lee  
Procurement Lead, **Microsoft Canada**

Hugh Lawson  
Director, Business Development  
**Staples Promotional Products**

Sylvie Matteau  
Partner, **ADR Education**

Wilson Oteri  
Lead, Capital Projects Procurement  
**Plains Midstream Canada**

Wael Safwat  
Board of Directors, **SCMAO**  
Chairman, **CIPS Canada Branch**

Marianne Smith  
Partner, **Blake, Cassels & Graydon LLP**

Kim Teichroeb  
Director of Procurement, **The Brick Group**

Carey Thomson  
Deputy City Solicitor, **City of Ottawa**

Boris Tsinman  
Vice President, Procurement  
**Infrastructure Ontario**

Jennifer Tuer  
Senior Legal Counsel, **Bruce Power**

Valorie Tutt  
Contracts Manager  
**Ontario Telemedicine Network**

Jeff van Geel  
Manager, Strategic Sourcing, **3M Canada Company**

Andrew Wong  
Partner, Commercial, **Osler, Hoskin & Harcourt LLP**

The Canadian Institute's **Contract Performance Management Conference** (Toronto, September 28-29, 2016) will walk you through the stages of contract performance management using case studies, hands-on presentations, practical panels and workshops designed specifically with your feedback in mind.

Tired of contracts that give you grief as a project progresses? Learn how to craft and implement a contract that will establish essential performance standards from the onset. Struggling to establish positive, long-lasting relationships with vendors? Hear from organizations that have discovered how to align goals and resources to create a win-win for vendors and end users alike.

### Master Contract Performance Management with In-Depth Sessions:

- ▶ **MOVE toward an integrated, sustainable contract management plan:** Create a pure line of sight between your contract management plan and your company's long-term goals
- ▶ **DEVELOP winning relationships with your vendors:** Maximize vendor performance and boost revenue with more collaborative vendor-end user relationships
- ▶ **IMPLEMENT a more innovative approach to contracting:** Incorporate a more radical, high-yielding approach to critical contracts with the Vested Outsourcing framework
- ▶ **EMPLOY contract management techniques that work:** Gain intel from industry insiders to facilitate your contract performance management process throughout a project's lifecycle
- ▶ **LEVERAGE knowledge from various industries and sectors:** Learn best practices of experts across industries as well as in both private and public sector

Don't pass up this opportunity to hear from leaders in this area and to ensure that you can craft and manage contracts that will work for you.

We look forward to meeting you in September 2016!

### SPONSORSHIP & EXHIBITION OPPORTUNITIES

Maximize your organization's visibility in front of key decision-makers in your target market. For more information, contact Director of Business Development **Daniel Gellman** at 416-927-0718 ext. 7389, toll-free 1-877-927-0718 ext. 7389 or by email at [D.Gellman@CanadianInstitute.com](mailto:D.Gellman@CanadianInstitute.com)

### EARN CPD HOURS LEGAL ACCREDITATION

This program can be applied towards 9 of the 12 hours of annual Continuing Professional Development (CPD) required by the **Law Society of Upper Canada**. Please note that these CPD hours are not accredited for the New Member Requirement.

The **Barreau du Québec** recognizes training activities held outside of the province so long as the activities have been approved by another Provincial Law Society.

This program has been approved by the **Law Society of Saskatchewan** for 9 CPD hours for the conference. Members will also receive an additional 1.5 CPD credit hours for each workshop attended.

The same number of hours may be applied toward your continuing legal education requirements in **British Columbia**.

For Alberta lawyers, consider including this conference as a CPD learning activity in your mandatory annual Continuing Professional Development Plan as required by the **Law Society of Alberta**.

THE CANADIAN INSTITUTE

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Business Information in a Global Context

This year marks 30 years since the inception of The Canadian Institute.

- 30 years hosting more than 6,000 conferences
- 30 years building a network of industry leaders
- 30 years expanding across the globe

It is time for a brand, logo and language in keeping with the dynamic strides we have made as a company. It is time for a brand that will take us forward for the next 30 years.

C5 Group, comprising The Canadian Institute, American Conference Institute and C5 in Europe, will unite under one central brand image, appropriately a globe. See how bringing together the power of people and the power of information can accelerate your growth and success.

Our new brand look and language will be fully revealed soon. Stay tuned for more exciting changes.

Join the Conversation @CI\_Business #CIContracts

Supply Management Network

Wednesday, September 28, 2016

8:00 Registration Opens and Refreshments are Served

9:00

Opening Remarks from Conference Chair

9:15

Keys to Contract Success in a Changing Marketplace



Andrew Grantham  
Senior Economist  
CIBC World Markets

- Discover Canadian economy and global marketplace trends that are making a huge impact on procurement contracts
- Capitalize on opportunities and mitigate challenges resulting from the rise of international free trade agreements
- Maximize profits in the age of a weak Canadian dollar
- Embrace and profit from the 'push to digital' – i.e., increase in digital products and rise in virtual outsourcing, as well as shift from paper to digital contracts

9:45

Legal Trends Changing the Shape of Contracts

Brendan Bowles  
Managing Partner  
Glaholt LLP

Edward (Ted) Betts  
Partner  
Gowling WLG

- Procurement issues in the era of "fair contracting" post-*Bhasin* case
  - What are the key terms associated with fair contracting?
  - What does the obligation of being reasonable mean for different jurisdictions?
- Impact of contract case law developments
- Legal trends in the RFP process

10:30 Networking Refreshment Break

10:45 PANEL DISCUSSION

Effective Collaboration: Contract Management Tips for Getting the Best out of your Vendors



Jeff van Geel  
Manager, Strategic Sourcing  
3M Canada Company



Erin Geldard  
Chief Procurement Officer & Real Estate, Cogeco Connexion



Jeff Griffith  
Consultant, Sourcing & Placement



Boris Tsinman  
Vice President, Procurement  
Infrastructure Ontario

John Conley  
Strategic Sourcing Consultant

- Determine if the collaboration model could apply to your vendor relationship
- Tips on how to evaluate your current vendor base and understand your vendor
- How to modify a vendor/end user relationship into a partnership relationship
- Align goals and resources to create a win-win situation for all involved parties
- Maximize vendor performance and ensure a smoother relationship through incentives
- Potential pitfalls to the collaborative contract model and how to mitigate them
- Solid governance: Maintain a clear line of sight on who's doing what
- Prevent major disputes by keeping the lines of communication open throughout the project
- Methods for working with small vendor partners: How to avoid becoming their only customer
- Business cases of how to develop positive, long-lasting end user-vendor relationships

12:15

Vendor Perspective on Creating a Rock Solid End User-Vendor Team



Hugh Lawson  
Director, Business Development  
Staples Promotional Products

- Get vendors on board with your vision from day one: Take a partnering rather than adversarial approach to negotiations
- Clearly address vendor questions about contract, including
  - Is it getting in the way of us performing our duties or responsibilities?
  - Will the deal leave us unprofitable because the contract terms are too strict?
  - Does the contract give us enough time to hit our stride and serve the client successfully?
- Engage and motivate your vendor partner to give you what you are looking for
- Learn how to salvage vendor/end user relationships gone bad

12:45 Networking Luncheon for Speakers and Delegates

1:45 KEYNOTE PRESENTATION

Vested Outsourcing: Win-Win Innovations

John Alexis  
Director of IT Services  
Greater Toronto Airports Authority

- What's wrong with conventional contracting? Understanding why a different approach can yield better results
- How to successfully transition from a traditional RFP approach to a vested contract
- Align values, goals and resources to create a mutually beneficial contract
- Meet the challenge of finding and maintaining joint accountability for accurate performance metrics management, including agreeing on a fair approach to bonus-malus

2:30 Spotlight on Public Sector: What Can Other Industries Learn From Government?



Marianne Smith  
Partner  
Blake, Cassels & Graydon LLP



Wendy Law  
Deputy City Solicitor  
City of Mississauga

Carey Thomson  
Deputy City Solicitor  
City of Ottawa

- Contract Management in Public Procurement – recent trends and approaches to procurement contract management by the public sector
- How public and private sector can find solutions to common public procurement issues – i.e., contract interpretation, overuse of the change of personnel clause, pricing and cost overruns and heavy legislation around choice of vendor
- Establish a healthy balance between budget, best value and sustainable development in government contracts
- Why the private sector needs the public sector and vice versa

3:30 Networking Refreshment Break

3:45 Contract Risk Management: How to Protect Yourself



Jennifer Tuer  
Senior Legal Counsel  
Bruce Power



Andrew Wong  
Partner, Commercial  
Osler, Hoskin & Harcourt LLP

- Leading causes of contract litigation and how to avoid them
- How to account for multiple risk, regulatory and compliance issues in a contract
- Strategic approach to minimizing cost and risk to the organization
- Be proactive, not reactive: Proven tactics for asking questions pre-contract to keep minor problems from escalating to the point of litigation
- Apportion resources for project appropriately based on risk appetite, risk analysis and desired end result
- Protect yourself from insolvency risks and know your rights in cases of insolvency
- Consider unique risks that exist in small contracts and may wreak havoc on a project

4:45 Closing Remarks from Chair

5:00 Conference Adjourns

## Program Highlights:

- ▶ Impact of legal and market trends on contracts
- ▶ Ways to foster collaboration with vendors
- ▶ Win-win innovations with Vested Outsourcing
- ▶ Best practices for contract performance management
- ▶ Effective contract design and language

# Day 2

Thursday, September 29, 2016

8:30 Refreshments are Served

9:00 Opening Remarks from Conference Chair

9:15 Contract Management Lifecycle – People Management not Process Management



Wael Safwat  
Board of Directors, SCMAO  
Chairman, CIPS Canada Branch

- Ensure effective stakeholder management during the contacts lifecycle
- Address the strategic dimension of having competent contracts professionals

9:30 PANEL DISCUSSION  
Best Practices for Measuring Contract Performance



Carolyn Francis  
Director of Contracts, Canada  
CH2M Hill Canada Limited



Kim Teichroeb  
Director of Procurement  
The Brick Group

Janice Lee  
Procurement Lead  
Microsoft Canada



Hartley Borst  
Legal Counsel  
City of Brampton

- How to excel at comprehensively defining performance obligations so the right performance targets are being set against the specifications and overall company goals you are trying to attain
- Most powerful means of measuring deliverables and verifying contract performance—i.e., reports, audits, inspections, holistic benchmarking—to ensure you are getting value for money
- Manageable, winning organizational systems for post contract management/governance throughout the life cycle of the project
- Leading performance verification measures—pros and cons of different measures
- How to manage contracts for success
- Real life remedies for contract performance issues

10:30 Contract Performance Management Made Painless through Technology

- Cost/benefit perspective on managing contracts via technological tools
- Overview of technological/electronic contract performance management tools

- How to build measures into technological tools that deal with recall and other contract renegotiation issues
- How to ensure your contract performance management platform is as secure as possible
- Keys to paperless contract document management

10:45 Networking Refreshment Break

11:00 Pre-Contract Phase:  
Do the Work Now to Save Money and Time Later



Rob Ellis  
Vice President &  
Assistant General Counsel  
Celestica



Valorie Tutt  
Contracts Manager  
Ontario Telemedicine Network

- Summary of which contracts to use for specific situations (ranging from non-binding term sheet to full blown master agreements)
- Decide which facts are most important in the contract, including pricing, scope of work, performance expectations and governance
- Vendor pre-qualification: Gain the competitive edge by pre-selecting the vendors you need
- Create a cost-savings matrix to measure the benefits of doing different types of procurement
- Prevent needless misunderstandings with must-know contract clauses and language
- Establish performance related remedies to mitigate contract performance management issues throughout a project's lifecycle, including agreed-upon terms of termination
- Interactive activity: Tips and tricks for drafting a winning contract

12:00 Principles of Effective Change Management: Ensure your Contract is Agile and Adaptable

Wilson Oteri  
Lead, Capital Projects Procurement  
Plains Midstream Canada

- Strategic goals for setting up the contract
  - Delineation of responsibilities, allocation of risks and legal basis for compensation
- Effective performance management and legal framework for performance
  - Price adjustment for late completion; termination rights
- Monitoring inherent risks and mitigation approach
- Managing deviation from the norm
- Managing changes to the contract – cost risks
- The change order process – best practice for success

1:00 Closing Remarks from Conference Chair and Conference Concludes

\* A light lunch will be provided to those attending the main conference and either of the Interactive Workshops.

# Interactive Workshops

Thursday, September 29, 2016

A | 2:00pm – 3:30pm (Registration Opens at 1:30pm)

Your A to Z Guide to Complex Contracts: How to Ensure they are Managed Effectively



Richard Corley  
Partner  
Goodmans LLP

- Overview of complex contracts including models for large-scale infrastructure projects, complex IT agreements and multi-vendor projects
- Relationship management tricks for dealing with multiple vendors
- How to ensure consistency when managing multiple contracts for one project
- Issues unique to different jurisdictions, including cybersecurity regulations with IT/ cloud computing
- Means of controlling escalation of megaproject costs
- Real life examples: Successful large-scale infrastructure projects, including scale IT Development and Managed Services Agreements

B | 3:45pm – 5:15pm (Registration Opens at 3:30pm)

Dispute Resolution Strategies

Sylvie Matteau  
Partner  
ADR Education

- Best practices for resolving disputes: Pros and cons of arbitration and mediation vs. litigation
- Alternative Dispute Resolution and mediation methods that really work
- Alternatives to liens to resolve sub-contractor payment issues
- Business cases of successful dispute resolution in complex situations

Interactive Activity: Role Playing Exercises to Improve your NQ (Negotiation Quotient) in Contract Negotiations

- Interactive exercises aimed at teaching essential contract negotiation skills
- Soft skills for getting to know and establish trust with vendors
- Clarify key terms and conditions of contract at onset, including scope of work, fee structure and grounds for termination
- Litigation-free ways to resolve conflict throughout project lifecycle, with examples



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## Who Should Attend:

- CEOs, VPs, directors and managers involved in:
  - Buying
  - Contract Administration
  - Contract Analysis
  - Contract Management
  - Supply Chain Management
  - Procurement
  - Purchasing
  - Quality Assurance
  - Sourcing
  - Strategic Planning
- In-House Lawyers
- Project Managers
- Resource Managers
- Risk Managers
- Engineers
- Project Managers
- Financial Institutions and Investment Firms
- Food Industry
- Government
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- Pharmaceutical
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## 2 Select your Level of Engagement

	SAVE \$400 Register & Pay by June 30, 2016	Register & Pay by August 31, 2016	Register & Pay after August 31, 2016
PLEASE ADD 13% HST TO ALL ORDERS			
<input type="checkbox"/> Program Only (on site)	\$1595	\$1695	\$1895
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<i>All program participants will receive an online link to access the conference materials as part of their registration fee.</i>			
<input type="checkbox"/> I cannot attend and would like to purchase a copy of the electronic conference material for \$495 + applicable taxes.			

\*ELITEPASS is recommended for maximum learning and networking value.

## 3 Fill in your Profile

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## 5 Accept the Terms and Conditions to Register

I confirm I have read and understood the terms and conditions of registering for this event

### Venue Information at a Glance

Venue: One King West Hotel  
Address: 1 King St W, Toronto, ON  
TEL.: (416) 548-8100 or 1-866-470-5464

### Book your Accommodation

For information on hotel room availability and reservations, please contact One King West at 416-548-8100 or 1-866-470-5464 and request the 'Canadian Institute Negotiated Rate'. To book online, please go to [www.onekingwest.com](http://www.onekingwest.com), enter your dates and corporate code CDNINS. Please note rooms are sold based on availability.

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### Bringing a Team?

3 – 4	10% Conference Discount
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10 or more	Call <b>416-927-0718x7326</b>

Call 1-877-927-0718x7326 for Group or Special Industry Pricing Options

### Fee Includes

The program, all program materials, refreshment breaks and lunches.

### Terms and Conditions

### Payment Policy

Payment must be received in full by the program date to ensure admittance. All discounts will be applied to the Program Only fee (excluding add-ons), cannot be combined with any other offer, and must be paid in full at time of order. Group discounts available to 3 or more individuals employed by the same organization, who register at the same time.

### Delegate Substitutions and Cancellations

You must notify us by email at least 48 hrs in advance of the conference if you wish to send a substitute participant. If you are unable to find a substitute, please notify us in writing no later than 10 days prior to the conference date. All cancellations received will be subject to a cancellation fee of \$350 plus applicable taxes. Delegates opting to receive a credit voucher will receive a credit for the full amount paid, redeemable against any other Canadian Institute conference in the next 12 months.

No credits or refunds will be given for cancellations received within 10 days of the conference start date. Delegates may not "share" a pass between multiple attendees without prior authorization. No liability is assumed by The Canadian Institute for changes in program date, content, speakers or venue. The Canadian Institute reserves the right to cancel any conference it deems necessary and will, in such event, make a full refund of any registration fee, but will not be responsible for airfare, hotel or other costs incurred by registrants.

September 28–29, 2016 | One King West | Toronto

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The Canadian Institute's Conference on

# CONTRACT PERFORMANCE MANAGEMENT

*Setting Benchmarks for High Performance Outcomes*

The Canadian Institute  
1329 Bay Street  
Toronto, Ontario M5R 2C4

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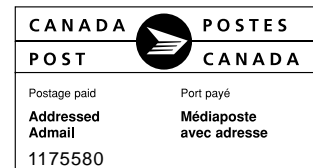
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This year marks 30 years since the inception of The Canadian Institute. It is time to match our brand with the dynamic strides we have made. See inside for details...

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The Canadian Institute's Conference on

# CONTRACT PERFORMANCE MANAGEMENT

*Setting Benchmarks for High Performance Outcomes*

## *Top Reasons to Attend*

- ▶ Expand your toolbox with strategies from leading companies across different sectors
- ▶ Gain valuable insights on recent legal and market trends impacting procurement contracts
- ▶ Find out how you can craft a contract that will facilitate contract performance management from the start
- ▶ Hear about best practices in measuring contract performance
- ▶ Discover how industry leaders maintain long-lasting, positive relationships with vendors
- ▶ Learn about Vested Outsourcing—an innovative, collaborative approach to contracting
- ▶ Network with peers, including procurement specialists, in-house legal counsel and private-practice lawyers, procurement specialists and supply chain managers.