



Commercial Agreement Formation Decisions Course

31 January – 4 February 2027
Nairobi

Commercial Agreement Formation Decisions Course

Ref: 591_145471 **Date:** 31 January – 4 February 2027 **Location:** Nairobi **Fees:** 4500 Euro

Overview

Commercial Agreement Formation Decisions Course is a five-day foundation course for contract, procurement, commercial, project, operations, and legal-support professionals who leave with an Agreement Formation Evidence Trail. Participants separate preliminary discussions, assurances, representations, invitations, offers, counteroffers, acceptance, exchange, intention, authority, certainty, and reliance. The course helps teams decide whether negotiations produced an enforceable agreement and record the basis for escalation without replacing legal advice. Agile Leaders Training Center presents commercial agreement formation as an evidence-led decision process.

Who Should Attend

- Teams responsible for recording commercial negotiations and proposed terms
- Functions issuing requests, quotations, offers, acceptances, or purchase communications
- Groups checking whether signatories hold suitable authority
- Personnel distinguishing relationship assurances from agreed terms
- Managers escalating uncertain formation questions for legal review

The course assumes participants handle business negotiations or agreement records and leaves out jurisdiction-specific advice, contract drafting, performance administration, breach analysis, and dispute advocacy.

Departments and Industries

The course supports departments and industries that need reliable formation decisions before work or supply begins.

- Procurement, commercial, sales, contracts, and project functions
- Technology, telecommunications, and outsourced services
- Construction, engineering, facilities, and infrastructure services
- Manufacturing, energy, utilities, and industrial supply
- Transport, logistics, healthcare, and hospitality operations

Learning Objectives

By the end of this course, participants will be able to:



- Analyze negotiation statements by their legal and commercial function
- Apply offer, counteroffer, and acceptance sequence tests
- Evaluate exchange, intention, certainty, capacity, and authority evidence
- Diagnose gaps in agreement terms and communication records
- Compare enforceable agreement and promise-reliance indicators
- Build an agreement formation evidence trail for review

Course Agenda

Day 1: From Discussion to Proposed Terms

- Negotiation Statement Classification Grid
- Representation, Assurance, and Promise Comparison Map
- Invitation and Offer Distinction Checklist
- Essential Terms Identification Sheet
- Pre-Contract Communication Evidence Log

Day 2: Offer and Acceptance Sequences

- Offer Validity and Expiry Review Method
- Counteroffer and Clarification Decision Tree
- Acceptance Method and Communication Checklist
- Conditional Response Analysis Table
- Agreement Sequence Reconstruction Timeline

Day 3: Exchange, Intention, and Certainty

- Value Exchange and Consideration Question Set
- Commercial Intention Evidence Matrix
- Term Certainty and Completeness Test
- Precondition and Subject-to-Contract Register
- Formation Gap and Open-Point Tracker

Day 4: Authority, Reliance, and Records

- Capacity and Signatory Authority Verification Map
- Actual and Apparent Authority Evidence Sheet
- Promise Reliance Fact Assessment Framework
- Electronic Communication and Conduct Record Index
- Formation Decision and Legal Escalation Note



Day 5: Agreement Formation Decision Practice

- Exercise: Classify Negotiation Statements and Proposed Terms
- Exercise: Reconstruct an Offer and Acceptance Sequence
- Exercise: Test Exchange, Intention, and Certainty
- Exercise: Verify Authority and Assess Reliance Evidence
- Capstone Exercise: Agreement Formation Evidence Trail

Practical Exercises

The course uses suggested activities to test agreement formation decisions in operating contexts.

- Suggested activity: classify assurances and proposed terms in a technology-service negotiation.
- Suggested activity: reconstruct counteroffers and acceptance from an engineering procurement email chain.
- Suggested activity: test certainty, authority, and open points in a logistics quotation exchange.
- Suggested activity: prepare an evidence trail and escalation note for an urgent facilities instruction.

FAQs

Who suits commercial agreement formation decisions and what do they assume?

Commercial agreement formation decisions suit professionals who handle negotiations, quotations, approvals, proposed terms, or agreement records and need a structured basis for identifying when legal review is required.

How do commercial agreement formation decisions differ from contract drafting?

Commercial agreement formation decisions examine whether communications and conduct created an agreement, while contract drafting concentrates on expressing agreed rights, duties, risk allocation, and operating terms in written clauses.

When does a business promise become an enforceable agreement?

A business promise may contribute to an enforceable agreement when the applicable requirements for assent, exchange, intention, certainty, capacity, authority, and any required form are satisfied; qualified legal advice determines the result in context.

How should an offer and acceptance sequence be documented?

An offer and acceptance sequence should record each communication, proposed term, condition, counteroffer, withdrawal, expiry point, authorized response, conduct, timestamp, source, and unresolved question in chronological order.



Why does signatory authority matter in agreement formation?

Signatory authority matters because a person's role, delegation, representation, and the other party's evidence may affect whether an organization is bound; uncertain authority should be documented and escalated before reliance or performance.

Conclusion

Participants take back an Agreement Formation Evidence Trail connecting discussions, promises, proposed terms, offers, responses, exchange, intention, certainty, authority, reliance, and records. The trail gives commercial teams a consistent way to reconstruct negotiations and expose unanswered formation questions. It strengthens decision traceability and directs uncertain matters to qualified legal review.