



International Federation of Consulting Engineers
The Global Voice of Consulting Engineers

BPLC Consultant and Contractor Selection Task Group - Terms of Reference

Terms of reference 2024

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1. Purpose

The FIDIC Consultant & Contractor Selection Task Group (herein referred to as 'TG') is a limited time working group appointed by FIDIC's Business Practice Leadership Committee (BPLC). The TG shall:

- revise and retitle as appropriate the FIDIC "Quality Based Consultant Selection Guide, First Edition, 2011" to reflect a qualifications-based approach to consultant selection.
- harmonise the update with the "Recommended Procedures to Improve the Application of Qualifications and Cost-Based Selection for Consultants, First Edition, 2023".
- maintain a format and title for the new document that is consistent with those of business best practice documents that form part of the FIDIC Body of Knowledge as advised by FIDIC.
- complete and present a final draft of the document to the BPLC by 15 June 2024, following which the BPLC shall review and edit the document, and then FIDIC shall complete the artwork and final edits before submission to the FIDIC Board for approval.
- Work in accordance with FIDIC's Strategic Plan 2020 to 2024.
- be dissolved on publication of the document.

2. Membership and Composition

The Committee shall comprise of up to 9 members with professional expertise and experience relevant to the document. The composition of the TG shall reflect as much as possible diversity objectives of FIDIC in gender, culture, or geography and age. Not more than one TG member shall be selected from a particular country.

Members shall be appointed for a limited time up to completion of the revised document and their tenure shall last until publication of the document when the TG shall be dissolved.

At least one delegate from the FIDIC Secretariat shall attend all meetings of the TG. The work of the TG shall be monitored by a BPLC member who shall act as Committee Liaison and attend all meetings of the TG as a full member. In addition, the BPLC Chair shall be entitled to attend any meeting of the TG as a guest.

3. Chair

The Chair of the TG shall be recommended to the Board by the BPLC Chair and shall be appointed by the Board in accordance with FIDIC By-Law VI "Working Committees". Should the Chair be absent from a meeting, the BPLC Chair or Committee Liaison may select one of the other members of the TG to chair the relevant meeting.

4. Meetings of the Task Group

The TG shall meet as frequently as is necessary to complete its task by the required deadline of 15 June 2024. Where possible, at least ten (10) working days' notice of any virtual meeting shall be provided to all members.

A quorum for decisions taken at meetings shall be 50% of the TG members. All meetings shall be conducted over the Microsoft Teams platform and documentation stored within a dedicated Teams area to which all TG members shall be provided access.

A standing item on the agenda of each meeting of the TG shall be “Conflicts of Interest”. Disclosure, management, and resolution of actual, perceived or potential conflicts of interests shall be addressed and recorded in any notes taken of the TG meeting.

Wherever possible, the TG shall attempt to achieve consensus in its decision-making. Decisions may also be made outside of any meeting by a simple majority resolution or agreement in writing by the majority of members of the TG. The TG Chair shall not have a casting vote. The FIDIC BPLC Chair is eligible to attend meetings of the TG on request and is entitled to receive a copy of any papers in advance of the meeting.

5. Conflicts of Interest

Members of the TG shall comply with their legal, statutory, and fiduciary duties and policy obligations, when discharging their responsibilities as members of the TG. The Secretariat shall provide information to assist TG members as appropriate to their functions.

Members of the TG shall act in good faith and in the best interests of FIDIC as a whole, act with care and diligence and for proper purpose.

Members of the TG shall disclose to the Chair and/or the TG members any actual, perceived, or potential conflicts of interest which may exist as soon as the TG Member becomes aware of any issue and shall recuse themselves from discussion and or decisions which may involve that conflict.

6. Independent Advice

Subject to approval of the BPLC Chair, the TG may request independent advisers or other professional advice as may be necessary to undertake their function. The FIDIC CEO will be responsible for managing any such engagement.

7. Responsibilities

The TG has the following responsibilities to the BPLC:

- Revise the FIDIC “Quality Based Consultant Selection Guide, First Edition 2011” to harmonise it with the “Recommended Procedures to Improve the Application of Qualifications and Cost-Based Selection for Consultants, First Edition, 2023.
- Complete and submit the final draft of the document to the BPLC by 15 June 2024.
- Alert the BPLC to any key issues affecting the ability of the TG to undertake its work effectively and efficiently,
- Notify the BPLC of any issues which may impact FIDIC and/or Member Associations and both their interests and their reputations.

8. Authority

The TG has no authority to incur expenditure without prior Board or FIDIC CEO (via the BPLC) approval.