



**International Federation of Consulting Engineers**  
The Global Voice of Consulting Engineers

## FIDIC BPLC - Procurement Task Group

Terms of reference 2024

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## 1. Purpose

The FIDIC Procurement Task Group (henceforth referred to as TG) is a task group appointed by FIDIC's Business Practice Leadership Committee (BPLC), to undertake tasks that relate to all stages of procurement as a best practice of the consulting engineering industry, from identification of the need for a project or facility up to the receipt of tenders and award of contracts for its implementation. These Terms of Reference (ToR) relate to a task or a group of tasks that the TG is set by the BPLC. On completion of the task(s), the BPLC shall create a new set of tasks for which a new ToR shall be prepared. The TG is currently tasked by the BPLC to create a document entitled "The Future of Procurement" as it pertains to the global infrastructure industry, that builds on the BPLC's webinar on the subject delivered on 13 February 2024. The TG shall meet the following principles in the production of this document:

- Address the risks and challenges of the regulatory framework relating to Procurement that are specific to the consulting engineering industry
- Identify the areas in which common Procurement practices that relate to consulting engineers could be improved
- Review of the degree to which the Procurement process is respectful of the values of global consulting engineering firms, and suggest improvements
- Refer to differing cultural considerations in the Procurement process from the consulting engineer's perspective
- Include short case studies from across the world with lessons learned
- Complete a substantive draft by 30 June 2024 for review by the BPLC

## 2. Membership and Composition

The TG shall comprise of up to 9 members with professional expertise and experience relevant to the documents they are preparing. The composition of the TG shall reflect as much as possible diversity objectives of FIDIC in gender, culture, or geography and age. The tenures of TG members shall be 18 months and shall be renewable once.

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. 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 30 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.

## 5. Conflict of interest

Members of the TG must 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 as described in the FIDIC Statutes, By Laws and policies.

Members of the TG must disclose to the Chair and/or the other 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 discussions 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 Secretariat will be responsible for managing any such engagement.

## 7. Responsibilities

The TG has the following responsibilities:

- Adhere to the principles and timeframes set out under Section 1 (Purpose).
- 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 Task Group shall report regularly to the Chair of the Committee. Any content generated by the Task Group is confidential and the intellectual property of FIDIC. The publication or sharing of any material or document generated by the Task Group will be possible and the endorsement, approval and discretion of FIDIC. The Task Group has no authority to incur expenditure without prior Board or FIDIC CEO approval.