



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

## FIDIC BPLC – Risk and Liability Task Group

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## 1. Purpose of the FIDIC BPLC

The FIDIC Business Practice Leadership Committee (BPLC) (“the Committee”) is a working committee of FIDIC appointed by the FIDIC Board, whose primary functions are to:

- Promote the adoption of best business practices throughout the global consulting engineering industry.
- Monitor, guide and advocate best business practice across the global consulting engineering and construction industry
- Provide direction and guidance on all aspects of business leadership practice, including safety and security culture, project management, business management, finance, marketing & communication, conflict of interest and human resources.
- Provide guidance and advocate for fair competition, consultant and contractor selection, procurement and appropriate risk allocation.

The strategic priorities of the Committee are to:

- Seek means to demonstrate to society at large the strategic and functional value of consulting engineering, thereby enhancing business outcomes for the industry
- Through the CEO, consult the FIDIC Global Leadership Forum Advisory Board (GLFAB) to identify industry’s key priority needs and secure commitment to propose professionals to the Task Groups.
- Establish functional Task Groups to support the committee to achieve significant outcomes on the key priorities within the desired timeframe.
- Initiate and deliver guidance related to the business of consulting engineering which supports Member Associations and firms in developed and developing economies.
- Compile business intelligence from a variety of sources including surveys, consultation with experts and leaders and examination of the best practices of other professions. Issue bulletins, guidelines, policy papers, and other publications as appropriate to disseminate the business intelligence gathered.

## 2. Task Groups

The Committee shall appoint Task Groups to support it to address specific areas of the Committee’s work and to undertake detailed tasks prescribed by the Committee. Task Groups may be established on a standing basis or for a limited time. In any event, the Committee shall review the Task Groups at the same time as it reviews its Terms of Reference.

The Committee shall initially appoint the following Task Groups:

- Procurement,
- Risk and Liability,
- Quality, and
- Contractor Selection.

The Task Groups shall be established by the Committee in coordination with the Secretariat and consist of relevant functional leaders complemented with relevant subject matter experts. The Secretariat shall identify and engage the relevant functional leaders with the subsequent work being overseen and guided by the Committee.

The Committee shall establish Terms of Reference for each Task Group using the FIDIC Committee Terms of Reference as a template. The number, name, and purpose of each Task Group shall be described in the Committee Terms of Reference under the Schedule in the Appendix. The Schedule of Task Groups shall be updated with each report to the Board required in Section 8.

The following shall specifically apply to the Risk & Liability Task Group of the BPLC Committee.

### 3. Purpose of the Risk and Liability Task Group

The FIDIC Risk & Liability Task Group is a standing task group of FIDIC appointed by the FIDIC BPLC and FIDIC Board, whose primary function is to identify significant issues impacting on risk, liability, and infrastructure governance for the consulting engineering industry.

The Task Group has the following strategic priorities:

Monitor professional liability conditions and insurance world-wide and periodically report significant trends to the FIDIC BPLC.

To produce at least 2 publications/guidance documents per year with the endorsement of the BPLC and assistance from the FIDIC secretariat.

To ensure that the Task Group activities are maintained under the leadership of the BPLC to retain a source of knowledge for FIDIC and its members.

To work with the FIDIC secretariat to maintain online resources relating to risk and liability within the industry.

To work with the FIDIC secretariat when engaging with external stakeholders as part of their support of the activities of the BPLC in representation of FIDIC.

### 4. Membership and Composition

The Task Group shall comprise up to 5 members with relevant professional expertise and experience including, at least one representative of FIDIC Future Leaders Group<sup>1</sup>.

Further, the composition of the Task Group will reflect as much as possible diversity objectives of FIDIC in gender, culture and geography.

Members shall be appointed on a standing basis or for a limited time, and their tenure managed in accordance with FIDIC By-Law VI "Working Committees".

### 5. Chair

The Committee shall recommend candidates for the position of the Chair of the Task Group. These shall be presented to the Nominations Committee of the Board by the Board Member undertaking the Committee liaison duty. The preferred candidate shall be recommended by the Board Nominations Committee and appointed by the Board for the length of the operations of the Task Group until the delivery of the expected tasks.

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<sup>1</sup> The FIDIC Future Leaders is the group of young professionals (under the age of 40 years) of the International Federation of Consulting Engineers (FIDIC) providing FLs opportunities for FLs to participate actively in FIDIC with their peers and to develop as the next generation of consulting engineering industry leaders.

The Committee shall also select a person for the position of Vice-Chair of the Task Group, from among its members, to be recommended to the Board by the Board Member undertaking the committee liaison duty. The Board in its absolute discretion may appoint the Vice-Chair nominee or other person as Vice-Chair. The Vice-Chair shall be appointed for the length of the operations of the Task Group until the delivery of the expected tasks.

Should both the Chair and Vice-Chair be absent from a meeting, the Task Group may select one of the other members of the Task Group to chair the meeting if there is quorum (see section 4).

## 6. Meetings of the Task Group

The Task Group shall meet at least 4 times per year prior to the scheduled Committee meetings to facilitate the reporting. An annual schedule of planned meetings shall be prepared and submitted by 31 July each year. It shall be periodically updated as necessary or required by the Secretariat.

Every effort will be made to co-ordinate with the members to maximise attendance. Where possible, at least twenty (20) working days' notice of any unplanned in-person meeting shall be provided to all members. Where possible, at least ten (10) working days' notice of any technology-based meeting shall be provided to all members.

A quorum shall be a number of Committee members greater than 50% or a minimum of 4 whichever is greater.

Meetings may be conducted using any technology agreed by FIDIC with the members or held in-person where the Secretariat has provided approval for it.

A standing item on the agenda of each meeting of the Task Group will be "Conflicts of Interest". Disclosure, management and resolution of actual, perceived or potential conflicts of interests shall be addressed to the Chair of the Committee and be recorded in the minutes.

Where approved by the Secretariat, the Committee may request independent advisers or management staff to attend Task Group meetings and assist the Task Group with its deliberations and undertake functions.

All meetings shall be minuted in accordance with the protocol described in Section 8 of this document.

## 7. Conflicts of interest

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

Members of the Task Group 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 Task Group must disclose to the Chair and/or the Committee Chair any actual, perceived or potential conflicts of interest which may exist as soon as the Task Group member becomes aware of any issue and shall recuse themselves from discussions which may involve that conflict.

## 8. Responsibilities

The Task Group has the following responsibilities:

- Update the Chair of the Committee on any key issues affecting the ability of the Task Group to undertake its work effectively and efficiently.
- Notify the FIDIC secretariat of any issues within the scope of their activities which may impact FIDIC and/or Member Associations and both their interests or their reputations.
- Prepare regular reports of activity including target outputs, impacts and benefits to the FIDIC Committee goals, objectives and strategic plan, using a format provided by the Secretariat and submit it to the Chair of the Committee. The frequency of reports will be determined by the Chair of the Task Group in coordination with the Chair of the Committee.

## 9. 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 only be possible subject to the endorsement, approval and discretion of FIDIC.

The Task Group has no authority to incur expenditure without prior Board or FIDIC CEO approval.

## 10. Review of the Terms of Reference

The Committee shall review the Terms of Reference of the Task Groups as applicable according to the nature of tasks, and in not more than two years since any revision of it was approved by the Board of FIDIC. The Committee Chair shall recommend any changes proposed to the Task Group Terms of Reference to the FIDIC Board for its approval.