



In association with

MATRIX Seminars

PRESENT

A 2-day FIDIC accredited training course on:

**The FIDIC Contracts: Understanding and Using the FIDIC Conditions of Contract 1999
in Beijing, 30-31 October 2013**

On 1 November, following the FIDIC training, delegates will be invited to participate in a seminar (at no extra cost) on Chinese experience of international contracting. Bringing together Chinese and foreign representatives from many backgrounds, delegates will be able to discuss the practical issues facing Chinese parties in international projects. This event will be in Chinese with simultaneous English translation.



Matrix Seminars is an accredited FIDIC training supplier

To register or for further information:

Telephone: +44 (0) 203 390 0421

Email: info@matrix-seminars.com

Fax: +44 (0) 203 390 0423

www.matrix-seminars.com

About the course

This 2-day seminar is designed to provide a practical understanding of the three FIDIC forms of contract mainly in use in the world today: these are the 1999 Conditions of Contract for Construction (the Red Book); for Plant and Design-Build (the Yellow Book); and for EPC/Turnkey Projects (the Silver Book). We also introduce the relatively recent (2008) Design-Build-Operate (Gold Book) contract. The course is fully accredited by FIDIC and each delegate will receive a certificate of participation.

The seminar will be conducted in English with simultaneous Chinese translation.

Topics covered

The course begins by introducing FIDIC and the FIDIC suite of contracts, including latest developments. We place the Red, Yellow and Silver Books in context, examining the specific reasons for each contract form and showing how each form compares and contrasts with the others in terms of such matters as contractor risk.

After considering key general provisions of each contract and the role of the Engineer in the Red and Yellow Books, we examine in more detail four areas of particular practical importance: Delays and extensions of time, including delay damages; Variations and adjustments to the contract price; Payment and related procedures, including delayed payment; and Claims and the resolving of disputes, including the DAB process and arbitration.

Throughout the seminar there will be ample opportunity to discuss the material covered and active participation will be encouraged.

About the speaker

The course will be led by William Godwin, a London-based practising barrister (lawyer) specialising in construction, engineering, energy and infrastructure projects. He has over twenty years' experience of international construction including FIDIC and is a regular speaker at the FIDIC international users' conferences. William has successfully conducted numerous training courses on the FIDIC forms and is accredited by FIDIC as an instructor. He also writes and speaks widely on construction and other law topics and in February 2013 Wiley-Blackwell published his *International Construction Contracts: a Handbook*. As a lawyer he regularly assists Chinese parties including representing them in arbitrations in London and elsewhere.

William has a PhD degree from Oxford University and is a first class honours graduate of University College London. He is a visiting lecturer in law at London University and at City University London and an arbitration panel member of the China International Economic and Trade Arbitration Commission, the Shanghai International Arbitration Centre and the Dubai International Arbitration Centre.

Who should attend?

This course will appeal to representatives of contractors, employers, developers, project sponsors and funders, insurers, plant and equipment manufacturers, engineers, project managers, lawyers and any others engaged in international construction.

What will be provided?

The course fee includes all tuition for the two days, course materials including copies of the Red, Yellow and Silver Book general conditions (in English) and coffee/tea breaks and lunch on each day. Visas, travel and overnight accommodation are not included.

Where will the course be held?

The course will be held at the 5 star Marriott North East, details below:

BEIJING MARRIOTT HOTEL NORTHEAST | 北京海航大厦万豪酒店
26A Xiao Yun Road, Chaoyang District, Beijing 100125 | 北京市朝阳区霄云路甲26号 邮编: 100125
t. (8610) 5927 8613 | f. (86 10) 5927 8625 | m. 138 1123 0101
<http://www.marriott.com/hotels/travel/bjses-beijing-marriott-hotel-northeast/?nt=CJ&affname=2066407&co=US&aff=MARUS>

Course Programme

| Day One | | Day Two | |
|---------------|--|---------------|---|
| 08.30-09.30 | Registration and coffee | 9.00 - 11.00 | Variations and Adjustments to the Contract Price <ul style="list-style-type: none"> What is a variation? The right to vary; variation procedure Value engineering; provisional sums Adjustments for changes in legislation, changes in cost. Payment and the payment process <ul style="list-style-type: none"> The Contract Price; Red Book measurement vs fixed price lump sum (Yellow and Silver Books) |
| 09.30 | Course starts | | |
| 09.30 – 11.00 | Overview of FIDIC and the FIDIC construction contracts <ul style="list-style-type: none"> Outline of FIDIC and the FIDIC contracts. The main current construction forms: Red, Yellow and Silver Books; the Gold Book and MDB harmonised edition Latest developments | | |
| 11.00 – 11.30 | Refreshments | 11.00 – 11.30 | Refreshments |
| 11.30 – 13.00 | The FIDIC Red, Yellow and Silver Books <ul style="list-style-type: none"> FIDIC's Red and Yellow Books: development, use and the roles of Employer, Contractor and Engineer Background to EPC / Turnkey Projects: why the Silver Book? What is an EPC or turnkey project? When is an EPC/turnkey type of project delivery used? | 11.30 – 13.00 | <ul style="list-style-type: none"> Advance Payment – Contractor's entitlement and conditions Application for Interim Payments – procedure; differences between Red and Yellow and Silver Books; schedule of payments Delayed payment : the Contractor's rights Retention; statement at completion – practical points to note; |
| 13.00 – 14.00 | LUNCH | 13.00 – 14.00 | LUNCH |
| 14.00 – 15.20 | <ul style="list-style-type: none"> Key general provisions of the Red, Yellow and Silver Books Clauses 1-3: law and language of the contract; the priority of documents; importance of the Particular Conditions; coordinating the General with the Particular Conditions; Roles of Employer, Contractor and their Representatives in the Silver Book compared with Employer, Contractor and Engineer in the Red and Yellow Books; principal documents; Employer's Requirements; Employer's claims. | | <ul style="list-style-type: none"> The final accounting between the parties: the final statement and final payment/payment certificate; Employer's discharge; cessation of liability. Contractor's claims and Dispute Resolution <ul style="list-style-type: none"> Clause 20: Contractor's claims; the Sub-Clause 20.1 time bar; practical points to note; importance of contemporary records; notices of claim; identifying claim events and circumstances. <p>Dispute Resolution in the FIDIC forms</p> <ul style="list-style-type: none"> the DAB process: what is a DAB and how does it work? What happens if the dispute is not finally resolved after a DAB? Amicable settlement |
| 15.20 – 15.40 | Refreshments | 15.20 – 15.40 | Refreshments |
| 15.40 – 17.00 | The Risk of Delay <ul style="list-style-type: none"> Commencement, delays and suspension; the contract programme; extensions of time in the Red, Yellow and Silver Book Delay damages – right to levy - liquidated damages and penalties. | 15.40 - 17.30 | <ul style="list-style-type: none"> Arbitration: what is arbitration and how is an arbitration conducted? How can the successful party enforce an arbitration award? Practical points about managing a dispute and reducing the risk of lengthy and expensive proceedings. Concluding discussion; Presentation of certificates |

Booking Form

The FIDIC Contracts: Understanding and Using the FIDIC Conditions of Contract 1999

Beijing , 30-31 October 2013

Delegate details

| First Delegate | Second Delegate |
|--|---|
| Title (Mr , Mrs, Ms Dr or other) and first name ----- | Title (Mr , Mrs, Ms Dr or other)and first name ----- |
| Surname/Family name ----- | Surname/Family name ----- |
| Company/Organisation ----- | Company/Organisation ----- |
| Job Title ----- | Job Title ----- |
| Any Special dietary requirements? ----- | Any Special dietary requirements? ----- |
| Email address ----- | Email address ----- |

For third and subsequent delegates please provide the above details on a separate sheet.

Contact Details

Please give details of the person in your organisation who will act as our point of contact with your organization for this event. (Please note: Joining instructions and invoice will be sent to this contact unless otherwise specified)

Title (Mr, Mrs, Ms, Dr or other) and first name

Company

Surname

Address

Job Title

Telephone

Email

Cost per delegate:

- GBP 950 for the first delegate from an organisation
- If more than one delegate from your organisation, GBP 850 for the second and any subsequent delegate

Number of delegates: _____ **Total:** _____

Payment method (see below): _____ **Invoice my organisation ref:** _____

How to register

You can register-

- By email to info@matrix-seminars.com providing the above booking information or the Booking Form
- By faxing the completed Booking Form to +44 (0) 203 390 0423
- By visiting www.matrix-seminars.com and following the instructions for on-line booking
- By phone on: +44 (0) 203 390 0421

Course Fee

The course fee is GBP 950 per delegate. If your organisation registers more than one delegate then the fee is reduced to GBP 850 for the second and subsequent delegates.

Fees are payable in full in advance and include the two days' training, course materials, certificate of completion of the course, a copy of the general conditions of the FIDIC contracts discussed as well as all refreshments/lunch on each day.

We will provide receipts for each registered and paid place on the course.

Delegates are responsible for arranging their own travel, any necessary visas and hotel accommodation and these are not included in the fee. Please contact the hotel directly for accommodation:

BEIJING MARRIOTT HOTEL NORTHEAST | 北京海航大厦万豪酒店

26A Xiao Yun Road, Chaoyang District, Beijing 100125 | 北京市朝阳区霄云路甲26号 邮编: 100125

t. (8610) 5927 8613 | f. (86 10) 5927 8625 | m. 138 1123 0101

<http://www.marriott.com/hotels/travel/bjses-beijing-marriott-hotel-northeast/?nt=CJ&affname=2066407&co=US&aff=MARUS>

Payment

Payment is due in full in advance and may be made by:

- Bank transfer to the account shown below

HSBC Bank
Sort Code: 40 06 29
A/c Number: 91846140
IBAN: GB28MIDL40062991846140
Swift Code: MIDLGB22
Branch Identifier Code: MIDLGB22
Beneficiary Name: Matrix Seminars Ltd

- By cheque, payable to Matrix Seminars Ltd in GB pounds drawn on a UK bank
- Online at www.matrix-seminars.com (see link under Events)

Cancellations and alterations

Cancellations by delegates must be made in writing at least 21 days in advance of the course and in that event a refund less 10% for administration costs will be made. It is regretted that after this date no refunds of fees will be made. Substitutions of delegates may be made at any time.

Matrix Seminars reserves the right to cancel the course because it is undersubscribed or for any other reason and in that event a full refund of fees paid will be made automatically. Such refund will be the full extent of Matrix Seminars' liability and it will not be responsible for any travel, accommodation or other costs or losses that might be incurred as a result of the cancellation.

Matrix Seminars reserves the right to change the speakers, timing or venue of the course.

Course organisers

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