

FIDIC Contracts

MODULE 2

**Training Course in English language
At**

**Tirana International Hotel
Tirana – Albania**

22 – 23 April 2016

Two days course on:

Claims Management and Resolution of Disputes



General

FIDIC has always exercised its mandate in the production of various documents, contract forms, guides and manuals to assist Consulting Engineers, Employers, Contractors and other factors all over the world to perform and deliver services to their clients.

These publications have facilitated the business practice of Consulting Engineers to establish standards or norms which are used by an increasingly large number of Consulting Engineers and their clients.

FIDIC 1999 Conditions of Contract are used all over the world. These conditions of Contract are used in Central and Eastern Europe, where countries in the cohesion process to the EU are using FIDIC 99 conditions of Contract, in Africa, and Asia where Multi-Lateral Development Banks, including World Bank, Islamic Bank of Development, Asian Development Bank have adopted FIDIC 1999 Edition the New Red Book with modifications.

In the present context of the highly competitive field, knowing the Contracts and the rights and obligations of the Parties will avoid future problems. Some of the documents are very specific, while others are more of a guideline. Almost inevitably, all of the FIDIC products have had the benefit of a large number of members contributing to the total effort in developing such Contracts by FIDIC.

The scope of the training is to explain and illustrates how to use de FIDIC 99 Conditions of Contract. The Course path through practical issues on the FIDIC 1999 Conditions of Contract including the New Red Book, Yellow Book, Silver Book and Pink Book.

During the course the participants will have the opportunity to open discussions in order to clarify some of the practical issues.

Tutor

The tutor is accredited FIDIC trainer, provided by AB Resolution in association with FIDIC. The training is conducted by Bogdan Oprea a FIDIC accredited trainer.

He is a Member of the Dispute Resolution Board Foundation, of the Romanian Association of Consulting Engineers.

Mr. Oprea is listed on the DRBF President List of Dispute Boards Member, Romanian national list of adjudicators, and he is an accredited mediator.

He has served recently as Mediator, Negotiator and Adjudicator under FIDIC Conditions of Contract on several International Contracts.

He has trained extensively for FIDIC as an accredited FIDIC trainer in Europe, Middle East, Asia, South America and Africa, specializing on FIDIC contracts and the management of claims and the resolution of disputes.

APCE

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Trainings provided by AB Resolution cover the following aspects:

Training Materials

All delegates will be provided with the following materials in English:

- Training Course
- Work Exercises

Who should attend?

The course provides the necessary information for professionals from the Government, Employers, Contractors, Private Sector, Engineers, and Consulting Engineers.

It is also addressed to Quantity Surveyors, Legal Advisers, and Architects. It is important for the peoples involved in preparing and implementing projects under FIDIC Conditions of Contract.

Program 2 days:

Program Module 2 - Claims Management and resolution of disputes:

Contract

- General issues
- Contracting strategy- Balanced Contracts
- Law and the Contract

FIDIC Introduction and presentation of 1999 FIDIC documents

(Construction Contract; Plant and Design-Build, Turn Key, Short Form Contract)

- FIDIC introduction
- Background and reasons for change
- Examination of various types of Contract

Management of claims

- Claims Causes and Risk
 - Inherent project risks
- Allocation of risks under various FIDIC 1999 Contracts
 - Analysis of Contractual risk
- Claims procedure
 - Clauses require notice by the Contractor
 - Employer's claims

- Delegation by the Engineer
- Engineer's determination
- Contractor's claims
- Notification of claims
- Engineer's assessment
- Contemporary records
- Preparation of claims
- Responsibilities of the main parties
- Responsibilities of the main parties
- Termination by the Employer
- Termination by the Contractor
- Force majeure

The Resolution of disputes

- Principles governing the DAB
- Working with DAB
- Post DAB Decision
- FIDIC alternative – Engineer acting as DAB
- Amicable settlement
- Arbitration

For more information, please feel free to contact,

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Training Manager

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