



#### **Module 1: "The Practical Use of the 1999 FIDIC Conditions of Contract for Construction"**

#### **Module 4: "The Contract Management & Administration of the 1999 FIDIC Conditions of Contract" (Construction & Plant & Design-Build)**

##### **OVERVIEW:**

The 1999 FIDIC Conditions of Contract are being increasingly used by the international Construction Industry throughout the World. The Multi-Lateral Development Banks, including the World Bank, Inter -American Development Bank & Caribbean Development Bank have adopted the 1999 FIDIC Conditions of Contract for Construction with modifications known as Harmonised Construction Contract.

**Module 1:** It gives the delegates a sound understanding on the practical use of the FIDIC Construction (Red Book) and Design-Build (Yellow Book) Contracts. The procedures and application of the Contract clauses are explored and made realistic through extensive work exercises. Delegates will be much more confident in using these complex Contracts after completing the course.

**Module 4:** It explains and illustrates the use of the FIDIC Conditions of Contract for Construction (the "Construction Contract") and the FIDIC Conditions of Contract for Plant and Design-Build (the "Design-Build Contract"). The course is designed to help the participants have confidence in working with these documents whether representing Employers, Consultants or Contractors.

Both courses are applicable to all the Parties involved within a 1999 FIDIC Contract including representatives of the Employer, the Contractor, the Engineer, and associated professionals. By having a professional understanding of the responsibilities and rights of the Parties under 1999 FIDIC Contracts, the prospects for successful projects are greatly increased and the resolution of claims will be achieved more successfully.

##### **SEMINAR TUTOR:**

The seminar tutor will be Dr. Munther Saket, an internationally accredited FIDIC trainer. Dr. Saket is a construction management consultant. He is a civil engineer by training (University of Manchester/UK 1982) with MSc (University of Birmingham/UK 1983) and PhD (University of Dundee/UK 1987) degrees in construction management (UK universities). Currently, partner and deputy Managing Director at Allied Planning & Engineering Corporation, Amman-Jordan, Dr. Saket has some 30 years of experience in providing consultancy services in areas of contract and construction management, construction claims and construction disputes adjudication and arbitration. Dr. Saket has extensive international training experience and has also over 15 years lecturing experience in universities on numerous topics including project and contracts management. Dr. Saket is a Member of the Jordan Arbitrators Society, founding chairman of the Arab Foundation for Engineering Arbitration and an ex-member of the National Building Council of Jordan.

##### **COURSE MATERIALS:**

Delegates will be provided the following materials, in English:

- FIDIC Conditions of Contract for Construction 1999 Edition (Red Book)
- FIDIC Conditions of Contract for Plant & Design-Build, 1999 Edition – (Yellow Book)
- Schedule of overheads used during the seminar – to be used as "Work Book"
- Work Exercises

##### **WHO SHOULD ATTEND?**

The training course provides the necessary knowledge for professionals from Government Ministries and Agencies, Private Sector Employers, Consulting Engineers, Contractors, Quantity Surveyors, Architects, Legal Advisers and all involved with the implementation and management of large Works Contracts. It is particularly important to those involved in preparing or managing infrastructure projects financed under MDBs' Funds, the EU Cohesion and Structural Funds, as all their Works Contracts use the FIDIC Conditions of Contract.

##### **REGISTRATION FEE**

ACE member MUR 20,000 and non ACE member MUR 25,000 per module.

Fee includes coffee, lunch and refreshments, certificate of attendance and course materials.

**PRESENT**

## **The FIDIC Contracts Training Courses:**

*"The Practical Use of the 1999 FIDIC Conditions of Contract for Construction" (Module 1)*  
**26<sup>th</sup> & 27<sup>th</sup> March 2019**

**&**

*"The Contract Management & Administration of the 1999 FIDIC Conditions of Contract" (Construction & Plant & Design-Build) (Module 4)*  
**28<sup>th</sup> & 29<sup>th</sup> March 2019**

**at**



**For further information contact:**

**Tel: +230 660 4545**

The course will be run under the aegis of the CIDB Training Centre and MQA approval is in process

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[diksha.summun@prodesign.mu](mailto:diksha.summun@prodesign.mu) and copy to  
[smwamsamali@fidic.org](mailto:smwamsamali@fidic.org)



**Module 1:****"The Practical Use of the 1999 FIDIC Conditions of Contract for Construction"****Day One: 8.30-17.00 (26 March 2019)****08:30 Registration of Participants****09:00 Session 1:  
Introduction & Principles**

- Background / History
- Examination of Contracts
- Basic Principles
- Risk Analyses
- Selection of Appropriate Contracts

**10:30 Coffee Break****11:00 Session 2:  
Clauses 1 & 2**

- General provisions
- Responsibilities of the Employer
- Funding by Employer
- Claims by Employer

**13:00 Lunch Break****14:00 Session 3:  
Clauses 3 & 4**

- Responsibilities of the Engineer
- Delegations by Engineer
- Engineers Determinations
- Responsibilities of the Contractor

**15:30 Tea Break****15:50 Session 4:  
Clauses 5 (RB&YB), 6 & 7**

- Nominated Contractors (Red Book)
- Design (Yellow book)
- Contractors Documents (Yellow Book)
- Labour Requirements
- Workmanship

**17:00 End of Day 1****Day Two: 9.00-17.00 (27 March 2019)****9:00 Session 5:  
Clauses 8,9,10,11 & 12 (YB)**

- Commencement Procedure
- Programme
- Extension of time
- Suspension
- Taking over Certificate
- Defects period & Performance Certificate

**10:45 Coffee Break****11:15 Session 6:  
Clauses 12(RB), 13, & 14**

- Measurement
- Evaluation
- Variations
- Payment

**13:00 Lunch Break****14:00 Session 7:  
Clauses 15,16,17,18 & 19**

- Termination by Employer
- Suspension / Termination by Contractor
- Risks and Responsibilities
- Insurance
- Force Majeure

**15:30 Tea Break****15:50 Session 8:  
Clause 20**

- Contractor's Claims
- Disputes Adjudication Board
- Amicable Settlement
- Arbitration

**Differences between FIDIC & MDB's  
Harmonised Construction Contract  
(Provided as Aide Mémoire)**

**17:00 End of Day 2**

"Throughout the seminar there will be opportunities for questions and where appropriate, case studies will be introduced"

**Module 4:****"The Contract Management & Administration of the 1999 FIDIC Conditions of Contract" (Construction & Plant & Design-Build)"****Day One: 8.30-17.00 (28 March 2019)****08:30 Registration of Participants****09:00 Session 1:****Contract Documents & Award**

- Contract Award Procedures
- Contract Documents
- Role and Authority of Engineer
- Performance Security

**10:30 Coffee Break****11:00 Session 2:****Contract Start Up**

- Pre Commencement Date
- Appointments
- Programme
- Insurances
- Drawings
- Start Up Meeting

**13:00 Lunch Break****14:00 Session 3:****Post Commencement Date  
Administration**

- Access & possession of Site
- Site security
- Contractor's Mobilisation
- Nominated Sub Contractor
- Records
- Progress Reports

**15:30 Tea Break****15:50 Session 3 (Cont): Post  
Commencement Date Administration**

- Local Laws
- Design & ER Scrutiny
- Contractor's Documents
- Plant, Materials & Workmanship

**17:00 End of Day 1****Day Two: 9.00-17.00 (29 March 2019)****9:00 Session 4:  
Financial Controls and Disciplines**

- Measurement
- Variation Orders
- Value Engineering
- Interim Payment Certificate
- Final Payment Certificate

**10:45 Coffee Break****11:15 Session 5:****Suspension Termination and Claims**

- Suspension by Engineer / Contractor
- Termination by Employer / Contractor
- Contractor's Claims
- Engineer's Responses
- Employer's Claims
- Determinations

**13:00 Lunch Break****14:00 Session 6:  
Taking Over the Works and Defects  
Notification Period and Contract  
Completion**

- Taking Over Certificate
- Defects in DNP
- Performance Certificate
- Contract Completion issues

**15:30 Tea Break****15:50 Session 7:  
Disputes, Amicable Settlement &  
Arbitration**

- Establishment of DAB
- Procedures of DAB
- Amicable Settlement procedures
- Arbitration procedures

**Differences between FIDIC & MDB's  
Harmonised Construction Contract  
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**17:00 End of Day 2**

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