



INDUNA

TRAINING SERVICES

9 - 10 August 2017

Safari Court Hotel, Windhoek, NAMIBIA

The Management of Claims and Resolution of Disputes Under FIDIC Contracts



Module 2 is designed to provide practical assistance to those working with the FIDIC 1999 Contract Conditions in the management of claims whether time and/or cost related.



The objective is to avoid claims becoming disputes, but should this occur the FIDIC Dispute Adjudication process is fully explained.



An outstanding **two-day**

INTERACTIVE WORKSHOP facilitated by **Kevin Spence**, Accredited FIDIC Trainer and Admitted Adjudicator to the FIDIC Presidents List



With a passion for the law and extensive construction experience, Kevin completed the Fellowship of Arbitrators Qualification and currently specializes in large-scale Construction Claims and Dispute Resolution.



Kevin is considered an expert on the FIDIC suite of contract documentation as well as the three other forms of contract as prescribed by the CIDB.

He regularly facilitates courses on all the four types of contract documentation both locally and internationally.

Course Overview

- The course is based on the FIDIC Approved Module 2 workshop and highlights the processes to be followed for successful claims management. It highlights important issues such as double notice provisions, times for submission, and deals extensively with Extensions of Time and Quantum calculations.
- The workshop examines the role of the Engineer in making determinations, Employers Claims and the issue of instructions after the Contract Completion Date has passed. Variations and their effect on the programme form an integral part of this workshop.
- Important issues are emphasised using appropriate case studies. The course is designed to assist both Contractors and Employers to gain a thorough understanding of the claim process.

DAY ONE

Session ONE

Introduction and Overview

- Introduction and Overview
- Advantages of FIDIC Contracts
- Rules
- Reasonableness

Session TWO

Contractual Risks

- Risk Management
- Causes of Claims
- FIDIC Claims Entitlements

Session THREE

Claims and Contractual Procedures

- Sub-Clause 2.5 Employer's Claims
- Sub-Clause 20.1 Contractor's Claims
- Sub-Clause 3.5 Engineer's Determinations

Session FOUR

Time Related Claims by the Contractor

- Extension of Time
- Reasons and Justification of Time Claims

Session FIVE

Additional Payments by the Contractor

- Substantiation
- Evaluation by the Engineer

DAY TWO

Session SIX

Disputes and Establishment of the Dispute Adjudication Board (DAB)

- Types of DAB
- Terms of Agreement
- Payment Conditions

Session SEVEN

The Working of the DAB and Procedural Rules

- Procedural Rules
- DAB Process
- Position Papers/hearing
- DAB Decision
- Dissatisfaction with DAB Decision

Session EIGHT

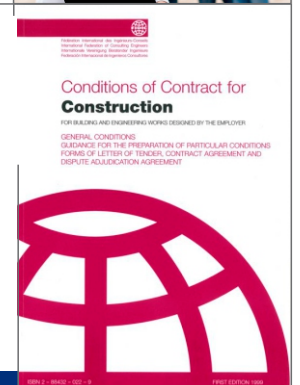
DAB Work Exercises

- Practical Exercises

Session NINE

Amicable Settlement and Arbitration

- Amicable Settlement
- Arbitration
- What about Mediation?
- DAB as a Dispute Avoidance Board



Course Cost: N8000 for non-members
N7500 for members

CPD ACCREDITATION
Accredited by Consulting Engineers of South Africa
for 2 CPD credits.
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Includes a copy of the **FIDIC Red Book**