



International Federation of Consulting
Engineers

In Association with



Uganda Association of Consulting Engineers

Present

FIDIC Accredited Training Courses on:

“The Practical Use of the 1999 FIDIC Conditions of Contract for Construction & Design-Build” (FIDIC Module 1)

&

*“The Practical Management of Contract Claims and the Resolution of Disputes”
(FIDIC Module 2)*

20th to 22nd May 2015

At Royal Suites Hotel; Kampala, Uganda

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:

- **UACE Member;** delegate fee per course is **USD 600**
- **Non UACE Member;** delegate fee per course is **USD 700**

Delegate Fee (includes coffee, lunch on both days, refreshments and all course materials)

For Further information:

E-mail: florence@uace.or.ug copy to smwamsamali@fidic.org

<http://fidic.org/events/fidic-contracts-course-module-1-uganda-20-21-may-2015>

OR

<http://fidic.org/events/fidic-contracts-course-module-2-uganda-21-22-may-2015>



SEMINAR TUTOR

Mr. Bogdan Oprea (BSc CEng DEA) a registered professional engineer accredited FIDIC trainer, Mediator, Adjudicator, Dispute Adjudicator/Review Board Member and facilitator in the fields of Civil Engineering, Buildings and Infrastructures.

He also a consultant and advisor on contractual issues such as Contract Risk Analysis, Contract negotiation, Contract interpretation, Project Management, Unforeseeable site conditions, Payment provisions, Claims preparation and Dispute avoidance.

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 and Caribbean Development Bank have adopted the 1999 FIDIC Conditions of Contract for Construction with modifications known as Harmonised Construction Contract.

Module 1 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 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. As with Module 1 work exercises bring the Contract clauses to “life” with the participation of all delegates in their solution.

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.

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
- Notes on changes incorporated in the MDBs’ Harmonised Construction Contract, 2010 edition

“The Practical Use of the 1999 FIDIC Conditions of Contract for Construction & Design-Build”

PROGRAMME OUTLINE- MODULE 1

Contract

- General issues

Introduction to the 1999 FIDIC documents

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

- Background and reasons for change
- Examination of format and content of General Conditions
- Examination of Guide to Particular Conditions
- Annex to documents
- Selection of appropriate Contract

Responsibilities of Main Parties

- General issues
- Responsibilities of the Employer
- The Engineer
- The Contractor

Management of Projects - Key Areas Workmanship and Time

- Staff and Labor
- Plant, Materials and Workmanship
- Commencement, Delays and Suspension
- Tests and Defects liability

Financial Clauses and Procedures

- Measurement and Evaluation,
- Variation and Adjustment
- Contract Price and Payment

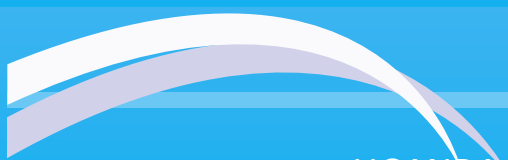
Risks, Force Majeure & Termination

- Termination by Employer
- Suspension & Termination by Contractor
- Risks and Responsibilities
- Force Majeure

Claims and Disputes & Arbitration

- Claims procedures
- Disputes Adjudication Board
- DAB Agreement & Procedures

Amicable Settlement and Arbitration



“The Practical Management of Contract Claims and the Resolution of Disputes”

PROGRAMME OUTLINE-MODULE 2

FIDIC Introduction and presentation of 1999 FIDIC documents

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

- FIDIC introduction
- Contracting strategy- Balanced Contracts
- Law and the Contract
- Background and reasons for change

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

The Dispute Boards Procedure and Practice

- General Adjudication Principle
- Procedural Rules
- Dispute Time Table and Position Papers
- Reaching the Decision

Other Alternative Dispute Resolution Methods