



Federation of International
Consulting Engineers



Present

**International FIDIC Contracts Training
Courses on:**

**1. Responsibilities and Duties of Adjudicators and Parties Under
FIDIC Contracts (Module 3) September 30th & October 1st, 2014**

&

**2. Management & Administration of FIDIC Contracts (Module 4)
October 2 & 3, 2014**

**At Silver Springs Hotel,
Bugolobi- Kampala, UGANDA
September 30th – October 3rd, 2014**

For further information contact

florence@uace.or.ug or smwamsamali@fidic.org

Visit web sites

www.fidic.org/events or www.uace.or.ug

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, Islamic Bank for Development and the Asian Development Bank have adopted the 1999 FIDIC Conditions of Contract for Construction with modifications.

Module 3 explains the use of DABs in the FIDIC Construction and Plant and Design-Build Contracts and the application of Dispute Board rules and procedures.

Module 4 is designed to give the delegates a sound grounding in the practical procedures and management disciplines required in undertaking FIDIC Contracts whether representatives of the Employer, Engineer or Contractor. It provides guidance and checking systems though all periods of the Contract from Award to Completion with challenging work exercises for all the delegates.

COURSE MATERIALS

All 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
- Work exercises

WHO SHOULD ATTEND?

The workshop will provide the necessary information for professionals from Government Ministries and Agencies, Private Sector Employers, Engineers, Consulting Engineers, Financial and Administrative Managers, Project Managers, World Bank, Quantity Surveyors, Legal Advisers, Building Contractors, Architects and all those who are actively involved with the new generation of International Contract Conditions used worldwide through the World Bank and the Majority of Multilateral DB's.

COURSE FACILITATOR

Dr. Goetz-Sebastian Hoek is FIDIC Accredited trainer, Arbitrator, Adjudicator, specialist in International Contract Law, Construction law and International Litigation. He is a law lecturer and senior partner of Rechtswalt, a law firm in Berlin.

His publications include translations (into German and French) of FIDIC Conditions of Contract (Red, Yellow and Pink Books) and Relationship between FIDIC Conditions of Contract and public procurement law - reliability of Tender Documents.

ATTENDANCE FEES PER COURSE

- UACE Member USD 500.00
- Non UACE Member USD 600.00

(Includes tea break, lunch, refreshments, course materials and a certificate per course)

All Payments **must** be made on or before **September, 2014** in order to secure a place.

For online registration and payment, click:

<http://fidic.org/events/fidic-contracts-course-module-3-uganda-30-september-1-October-2014>

or

<http://fidic.org/events/fidic-contracts-course-module-4-uganda-2-3-october-2014-1>

Module 3: Programme Outline

| Day 1: 9.00 – 17.00 | | Day 2: 09.00 – 17.00 | |
|----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 09.00 – 9.30 | <u>Registration</u> | 09.00 – 11.00 | <u>Session 7:</u> |
| 9.30- 11.00 | <u>Session 1:</u> <i>What is FIDIC (Introduction)?</i> <ul style="list-style-type: none"> • FIDIC Association & Contracts Committee • Services <u>Session 2.</u> <i>What is a Dispute Board?</i> <ul style="list-style-type: none"> • Description & Nature • Field of Activities | 09.00 – 11.00 | <i>Routine Procedures</i> <ul style="list-style-type: none"> • Readiness for work • Site visits • Procedures for Opinions <u>Session 8:</u> <i>Referrals</i> <ul style="list-style-type: none"> • How to write a Referral? • What should be in? • Discussion |
| 11.00 – 11.30 | Coffee Break | 11.00 – 11.30 | Coffee Break |
| 11.30 – 13.00 | <u>Session 3:</u> <i>Arbitration Rules</i> <ul style="list-style-type: none"> • Standards & Application • Similarities to DAB <u>Session 4:</u> <i>Setting Up a DAB</i> <ul style="list-style-type: none"> • How to appoint a DAB? • Appointing Entities | 11.30 – 13.00 | <u>Session 9:</u> <i>Hearings</i> <ul style="list-style-type: none"> • Preparation • Fairness & Investigation Powers • Private Meeting <u>Session 10:</u> <i>Decision</i> <ul style="list-style-type: none"> • Written Form • Content • Methods |
| 13.00 - 14.00 | <u>Lunch Break</u> | 13.00 - 14.00 | <u>Lunch Break</u> |
| | <u>Session 5:</u> <i>DAB Members</i> <ul style="list-style-type: none"> • Selection of Members • Skills & Commandments • DAB Agreements | | <u>Session 11:</u> <i>Enforcement of DAB Decisions</i> <ul style="list-style-type: none"> • Contractual Situation • Arbitration & New York Convention |
| 15-20 –15-40 | Coffee Break | 15-20 –15-40 | Coffee Break |
| 15-40 – 17.00 | <u>Session 6:</u> <i>DB Costs</i> <ul style="list-style-type: none"> • Daily Fees & Retainer Fees • Cost of Decision | 15-40 –17.00 | <u>Session 11:</u> <i>Discussions</i> |

Throughout the seminar there will be opportunities for discussions on topics raised

Module 4: Programme Outline

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| 8.30/9.00 9.00/10.00 | <u>Day 1: 9.00 – 17.00</u> <u>Registration</u> <u>Session 1: Contract Documents</u> <ul style="list-style-type: none"> • Award & Tender Security Documents • Sufficiency & Discrepancies • Contradictions • Conditions of Contract & interpretation • Definition of the Engineer • Engineer must adhere to works contract | 9.00/ 10.00 | <u>Day 2: 09.00 – 17.00</u> <u>Session 1: Ongoing Supervision:</u> <ul style="list-style-type: none"> • Engineer's instructions • Regular progress Meetings • Continuing Validity of securities & Insurance Performance Security • Verification of Contractor's Personnel & Equipment • Sample & Testing of Materials, workmanship & Plant • Work Inspection, Testing & Acceptance • Unacceptable works, Defects Notification and remedies • Works programme & cash flow revisions • Contractor's slow progress • Works suspensions • Claims: Contractor's & Employer's • Documentation, Determination & Evaluation of Claims • Delays, extension of time for completion & associated costs • Liquidates Damages & Bonus • Disputes & Dispute Resolution |
| 10.00/10.20 | COFFEE BREAK | | |
| 10.20/13.00 | <u>Session 2: Start-up</u> <ul style="list-style-type: none"> • Appointments • Engineer's delegation of duties & authorities • Pre Commencement Meeting • Contractor's Representative • Commencement Date • Performance Security & Insurances • Breakdown of Lump sums & Unit Rates • Statutory Approvals & Permits • Works programme & Cash flow • Quality Assurance & Control • Access to and possession of site • Construction Licence • Issuing Drawings • Meteorological Records • Contractor's Report • Price Adjustment Formula & Indices • Consent of Subcontractors • Nominated & Subcontractors • Compliance with Local law • Rules of origin & nationality • Imports & taxes • Contractor's Mobilization • Safety, Security & m Protection of the Environment • Diaries & Events Log | | 10.00/ 10.20 |
| | | | COFFEE BREAK |
| | | | <u>Session 2: Taking Over the works</u> <ul style="list-style-type: none"> • Substantial completion • Taking over certificate • Inspection at Completion & Snagging list • Interim Payment Certificate at Completion |
| | | 13.00 | LUNCH BREAK |
| 14.00/ 16.00 | <u>Session 3: Financial Control</u> <ul style="list-style-type: none"> • Bill of Quantities & Unit Prices • Provisional Sum & Variations • Valuation of Variations • Variation Orders • Value Engineering & Day Work • Measurement of works | 14.00/ 16.00 | <u>Session 3: Defects Liability Period & Contract Completion</u> <ul style="list-style-type: none"> • Defects Liability Period • Completion of remaining Works & Rectification of Defects • Inspections & Notification of Defects • Cost of Rectifying Defects & Damage • Remedies for Non-performance in Defects Liability period • Extension Defects Liability Period • Further Tests • Final Acceptance of Works • Defects Liability Certificate • Clearance of Site • Contractor's Final Statement • Contractor's Discharge • Final Payment Certificate • Final Payment |
| 16.00/16.20 | COFFEE BREAK | | |
| 16.20/17.00 | <u>Session 4:</u> <ul style="list-style-type: none"> • Valuation of Plant & Materials intended for the works • Contractor's interim Payment Statements • Interim Payments • Delay Payments • Records of Statements, Certifications & Payments • Cost estimates of works to completion • Work Quantities Management • Monitoring & Reporting Works progress • Contract addenda & amendments | | 16.00/ 16.20 |
| | | 16.00/ 16.20 | COFFEE BREAK |
| | | 16.20/ 17.00 | <u>Session 4: Contract Termination</u> <ul style="list-style-type: none"> • Contractor's Discharge • Termination by Employer arising from Contractor's Default • Termination by Employer arising from Employer's Default • Termination resulting from Force Majeure • Employer's Termination for Convenience |

Throughout the seminar there will be opportunities for discussions on topics raised