



International Federation of
Consulting Engineers



Uganda Association of
Consulting Engineers

PRESENT

International FIDIC Contract Training Courses on:

1. *“Responsibilities and Management for Dispute Adjudication and Dispute Boards Under FIDIC 1999 Editions” (FIDIC Module 3)*

10th & 11th November 2015

&

2. *“The Contract Management & Administration of 1999 FIDIC Conditions of Contract” (FIDIC Module 4)*

12th & 13th November 2015

AT SILVER SPRINGS HOTEL

Kampala, Uganda

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www.uace.or.ug

1. “Responsibilities and Management for Dispute Adjudication and Dispute Boards Under FIDIC 1999 Editions” (FIDIC MODULE 3)
&
2. “The CONTRACT MANAGEMENT & ADMINISTRATION OF 1999 FIDIC CONTRACTS” (FIDIC MODULE 4)

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 This practical course explains and illustrates the procedures and application of dispute adjudication requirements under FIDIC contracts. The course is designed for both those wishing to work as dispute adjudicators as well as those who will use Dispute Adjudication Boards.

Module 4 explains and illustrates the use of the FIDIC Conditions of Contract for Construction (“Construction Contract”) and the FIDIC Conditions of Contract for Plant and Design-Build (“Design-Build Contract”). The course is designed to help the participants have confidence in working with these documents whether representing Employers, Consultants or Contractors. It provides extensive checking measures and work exercises to give all delegates a comprehensive understanding of the Contracts.

SEMINAR TUTOR:

Richard Appuhn is an American consulting engineer based in Rome, Italy. He is President of the DRBF Region 2 Board of Directors and a member of the International Committee for Training. He also serves as arbitrator and adjudicator in Romania, Vietnam, Ethiopia, Serbia, Tanzania, Madagascar and Mozambique. Dick is a member of the FIDIC 9th Task Group for the drafting of Standard Conditions of Subcontract for Design-Build Construction. He is a member of Workgroup Committees for Contract Conditions for the European International Contractors Association (EIC) and for the Confederation of International Contractors Associations (CICA). His engineering and construction background spans more than 40 years covering the United States, Thailand, Hong Kong, Laos, Malaysia, Viet Nam, Indonesia, Iran, Abu Dhabi, Saudi Arabia, Jordan, Tunisia, Morocco, Ethiopia, Uganda, Guinea, Liberia, Cameroon, Malawi, Zimbabwe, Botswana, Swaziland, Lesotho and South Africa.

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 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 PER PARTICIPANT EACH MODULE:

- UACE Member **US\$ 600**
- Non Member **US\$ 700**

Fee includes coffee, lunch and refreshments, certificate of attendance and course materials. There will be a 10% discount for members attending both modules.

“Responsibilities and Management for Dispute Adjudication and Dispute Boards under FIDIC 1999 Editions”

Programme Outline-FIDIC Module 3

<u>Day 1:</u>	<u>09.00 – 17.00</u>	<u>Day 2: 09.00 – 17.00</u>
8.00	<u>Registration and Opening Remarks</u>	900: <u>Session 4 – Dispute timetable and position papers</u>
9.00	<u>Session 1 – Adjudication Principles</u> <ul style="list-style-type: none">• What is a Dispute?• Background of dispute resolution• Alternative methods of dispute Resolution• Application in USA & Europe• Dispute adjudication under FIDIC/MDB Contracts• Legal status of adjudicator and DB’s Work exercises on principles	<ul style="list-style-type: none">• Establish timetable• Nature of Position Papers• Responses• DB Directions• Evidence statements Work Exercises on position papers
11.00	<u>Break</u>	<u>10.45 – 11.15 Break</u>
11.30	<u>Session 2 – DB Establishment and responsibilities</u> <ul style="list-style-type: none">• Selection process and appointment/s• Contract Agreement• Full Term and Ad Hoc responsibilities• Fees, expenses and payment terms• Termination and replacement of DB Work exercises on DB establishment	11.15 <u>Session 5 – Hearing</u> <ul style="list-style-type: none">• Pre-hearing requirements• Site visit before hearing• Attendees• Agenda and procedures• Evidence• Conclusion of hearing• After the hearing Work Exercises on a Hearing
13.00	<u>Lunch</u>	<u>13.00 – 14.00: Lunch</u>
14.00	<u>Session 3 - Procedural Rules</u> <ul style="list-style-type: none">• Routine Procedures• Full term site visits• Opinion and advice• Dispute referral• DB jurisdiction Work exercises on Procedural Rules	14.00: <u>Session 6 – Dispute Decision</u> <ul style="list-style-type: none">• Reaching the decision• 3 Person DB discussion• Format of decision• Unanimity• Enforcement of decisions Work exercises on dispute decision
15.30	<u>Break</u>	<u>15.30 – 15.50: Break</u>
15.50	Case Studies on Site Visit and DB opinion	15.50 Case Studies on DB referrals and decisions
17.00	<u>End of Day 1</u>	16:30 Closing remarks and Certificates
		<u>17.00 End of Day 2</u>

“The CONTRACT MANAGEMENT & ADMINISTRATION OF 1999 FIDIC CONTRACTS”

Programme Outline FIDIC Module -4

Day 1: 09:00 – 17:00

08:00 Registration and Opening Remarks

09:00 Session 1: Contract Documents & Award

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

10:45 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 2: 09:00 – 17:00

09:00 Session 4: Financial Controls & Disciplines

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

10:45 Coffee Break

11:15 Session: 5: Claims, Suspension & Termination

- Contractor’s Claims
- Engineer’s Responses
- Employer’s Claims
- Determinations
- Suspension by Engineer / Contractor
- Instruction by Employer / Contractor

13:00 Lunch Break

14:00 Session 6: Disputes, Amicable Settlement & Arbitration

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

15:30 Tea Break

15:50: Session 7: Taking Over the Works and Defects Notification Period and Contract Completion

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

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

16:40 Closing Remarks and Certificates

17:00 End of Day 2

“Throughout the seminar there will be opportunities for questions and the use of the work exercise”