



Fédération Internationale
des Ingénieurs – Conseils

The International Federation of Consulting Engineers (FIDIC) in partnership
with ASTRIK International is proud to present in Rwanda

INTERNATIONAL FIDIC ACCREDITED SHORT COURSE TRAINING:



- 1. The Practical Use of the 1999 FIDIC Conditions of Contract for Construction (Module 1)
&**
- 2. The Management of Contract Claims & the Resolution of Disputes Under the 1999
FIDIC Conditions of Contract & MDBs' Harmonised Construction Contract – 2010
Edition (Module 2)**

**April (26th, 27th, 28th & 29th), 2016,
KIGALI-RWANDA**

OVERVIEW

The FIDIC Conditions of Contracts are widely used in the construction Industry throughout the world and Rwanda in particular. With the rapid development of infrastructure and construction industry in Rwanda there is a big challenges in the area of contract design and contract management

In the Construction Industry, most of the awarded projects are improperly conceived, under budgeted, not consistence with the drawings and specifications, which resulting into claims and disputes. Therefore, in FIDIC Contracts there will be Claims and/or disputes.

Module 1: gives the delegates a sound understanding on the practical use of FIDIC conditions of contracts (Red Book), Design and build (Yellow Book) and appropriate selection and design of other FIDIC contracts.

Module 2: provides practical assistance on the management of claims and avoidance of claims to be a dispute, but if dispute occurs the FIDIC adjudication process is clearly explained. Therefore, these modules address the key challenges the construction industry in Rwanda is facing on construction contract management.

COURSE MATERIALS

All delegates will be provided with the following training materials, in English:

- FIDIC Conditions of Contract books (The Red, Yellow and Green Books)
- Course presentations and Work exercises

WHY SHOULD YOU ATTEND

FIDIC training modules are accredited and offered worldwide. Attending FIDIC Modules outside, Rwanda will be very costly. Therefore, the in-country training will be affordable and can

easily be sponsored by individual or employer for the benefit of many practitioners young, and experienced who are involved in the construction industry in Rwanda.

WHO SHOULD ATTEND

Professionals who are involved in the contract decision making, planning, designing, and implementation of construction contracts, legal advisor and Adjudication/Arbitration are highly recommended to attend from the following:

- Government Ministries and Agencies;
- Private Sector Employers;
- Consulting Engineers;
- Contractors;
- Quantity Surveyors & Architects;
- Legal Advisers;
- Members of adjudications/ Arbitrations
- Academic institutions

COURSE ACCREDITED TRAINER

Eng. Robert Werth is practitioner with over 20 years of experience (holds Dip.Ing. Civil, from Germany) is highly qualified FIDIC accredited trainer and experienced in the use of FIDIC Contracts who gained international experience in various civil engineering fields in a number of countries including Africa will be delivering the training on Module 1 and 2. ASTRIK international is a local experienced consulting firm will offer relevant practical examples related to use of FIDIC and claims on projects in Rwanda.

COURSE FEE PER PARTICIPANT

The training fee is **€ 850** per participant for One Module, and **€ 1600** for Two Modules. *Registered Engineer will be discounted €20.* The **Fee includes all course materials, certificate, tea/coffee breaks, lunch, refreshments, and other related costs.**

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

PROGRAMME OUTLINE

Day 1: Tuesday, 26th April 2016

8:30hrs	Welcome & Registration Background of Contracts in Rwanda
9:00	Session 1: Introduction and Principles <ul style="list-style-type: none"> • Background / History • Examination of Contracts • Basic Principles • Risk Analysis • Selection of Appropriate Contracts
11.00	Coffee Break
11.30	Session 2: Clauses 1&2 Responsibility of Main Parties <ul style="list-style-type: none"> • General provisions • Responsibilities of the Employer • Funding of Employer • Claim by Employer
13.00	Lunch Break
14.00	Session 3: Clauses 3&4 Contract Management <ul style="list-style-type: none"> • Responsibilities of Engineer • Delegation by Engineer • Engineer’s Determinations • Responsibilities of the Contractor
15.30	Tea Break
15.50	Session 4: Clauses 5 (R&Y), 6, 7 Contract Management <ul style="list-style-type: none"> • Nominated Contractors (Red Book) • Design (Yellow book) • Contractors Documents (Yellow Book) • Workmanship
17.00	End of Day 1

Day 2: Wednesday, 27th April 2016

8.30hrs	Session 5: Clauses 8,9,10,11,12 (Y) Contract management <ul style="list-style-type: none"> • Commencement Procedure • Programme • Extension of time • Suspension • Taking over Certificate • Defects period & Performance Certificate
10.45	Coffee Break
11.15	Session 6: Clause 12 (R), 13, 14 Financial Procedures <ul style="list-style-type: none"> • Measurement • Evaluation • Variations • Payment
13.00	Lunch Break
14.00	Session 7: Clause 15, 16,17,18,19 Risk, Force Majeure & Termination <ul style="list-style-type: none"> • Termination by Employer • Suspension/Termination by Contractor • Risks and Responsibilities • Insurance • Force Majeure
15.30	Tea Break
15.50	Session 8: clause 20 Claim, Dispute and Arbitration <ul style="list-style-type: none"> • Contractor’s claims • Dispute adjudication Board • Amicable settlement • Arbitration
	Differences between FIDIC & MDB’s Harmonised construction of contract
17.00	End of Day 2

The Management of Claim and Disputes Resolution Under the 1999 FIDIC Conditions of Contracts (FIDIC Module 2)

PROGRAMME OUTLINE

Day 3: Thursday, 28th April, 2016

- 08:30** **Session 0:**
Welcome & Registration
Background of Contracts in Rwanda
- 09:00** **Session 1:**
Risks and causes of claims
- Project Risk Management
 - Selection of Contract
 - FIDIC Risk allocation
 - Causes of Claims
 - Legal Issues
- 11.00** **Coffee Break**
- 11.30** **Session 2:**
Claim and contractual procedure
- Clause 2.5 Employer's Claims
 - Clause 20.1 Contractor's Claims
 - Clause 3.5 Engineer's Determination
- 13.00** **Lunch Break**
- 14.00** **Session 3:**
Time related entitlement
- Employer's Entitlement
 - Programme
 - Extension of Time
 - Justification of time claims
- 15.30** **Tea Break**
- 15.50** **Session 4:**
Additional payment claims
- Employer's Claims
 - Contractor's Claims
 - Substantiation
 - Evaluation by Engineer
 - Prolongation and disruption claims
- 17.00** **END OF DAY 3**

Day 4: Friday, 29th April, 2016

- 08:30** **Session 5:**
Establishment of Dispute Adjudication Board (DAB)
- Types of DAB
 - Terms of Agreement
 - Payment Conditions
- 09:00** **Session 6:**
Dispute Adjudication Board (DAB) Procedure rules
- Procedural Rules
 - DAB Decision Process
 - Position Papers/ Hearing
- 11.00** **Coffee Break**
- 11.30** **Session 7:**
DAB decision
- Format of Decision
 - Dissatisfaction with Decision
 - DAB Work exercises
- 13.00** **Lunch Break**
- 14.00** **Session 8:**
Engineer as DAB, Amicable Settlement & Arbitration
- Engineer as DAB
 - Amicable Settlement
 - Arbitration
- 15.30** **Tea Break**
- 15.50** **Session 9: Engineer as DAB, Amicable Settlement & Arbitration**
- Engineer as DAB
 - Amicable Settlement
 - Arbitration
- 17.00** Issuing of certificates to delegates & Closing the session