



Federation Internationale  
des Ingenieurs Conseils

**Bogdan Oprea**  
**FIDIC Accredited Trainer**



**FIDIC CONTRACTS**  
**Training in ROMANIAN**

**HOTEL NOVOTEL**  
**Bucharest - Romania**  
**12-13 FEBRUARY 2015**

**2 DAYS TRAINING ON:**  
**“MANAGEMENT OF CLAIMS AND RESOLUTION**  
**OF DISPUTES UNDER THE FIDIC 1999**  
**CONDITIONS OF CONTRACT”**

**Trainer:**

**Bogdan Oprea, International FIDIC Accredited Trainer**

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# FIDIC 1999 – MANAGEMENT OF CLAIMS AND RESOLUTION OF DISPUTES

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## **General**

FIDIC has always exercised its mandate in the production of various documents, contract forms, guides and manuals to assist Consulting Engineers, Employers, Contractors and other factors all over the world to perform and deliver services to their clients.

These publications have facilitated the business practice of Consulting Engineers to establish standards or norms which are used by an increasingly large number of Consulting Engineers and their clients.

FIDIC 1999 Conditions of Contract are used all over the world. These conditions of Contract are used in Central and Eastern Europe, where countries in the cohesion process to the EU are using FIDIC 99 conditions of Contract, in Africa, and Asia where Multi-Lateral Development Banks, including World Bank, Islamic Bank of Development, Asian Development Bank have adopted FIDIC 1999 Edition the New Red Book with modifications.

In the present context of the highly competitive field, knowing the Contracts and the rights and obligations of the Parties will avoid future problems. Some of the documents are very specific, while others are more of a guideline. Almost inevitably, all of the FIDIC products have had the benefit of a large number of members contributing to the total effort in developing such Contracts by FIDIC.

The scope of the training is to explain and illustrates how to use de FIDIC 1999 Conditions of Contract. The Course path through practical issues on the FIDIC 1999 Conditions of Contract including the New Red Book, Yellow Book, Silver Book and Pink Book.

During the course the participants will have the opportunity to open discussions in order to clarify some of the practical issues.

## **Tutor**

### **Bogdan Oprea**

The tutor is accredited FIDIC trainer, provided by AB Resolution in association with FIDIC. The training is conducted by Bogdan Oprea a FIDIC accredited trainer.

He is a Member of the Dispute Resolution Board Foundation.

Mr. Oprea is listed on the DRBF President List of Dispute Boards Member, Romanian national list of adjudicators and he is an accredited mediator.

He has served recently as Mediator, Negotiator and Adjudicator under FIDIC Conditions of Contract on several International Contracts.

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He has trained extensively for FIDIC as an accredited FIDIC trainer in Europe, Middle East, Asia, South America and Africa, specializing on FIDIC contracts and the management of claims and the resolution of disputes.

Additional information about Mr. Oprea can be found on his web page <http://bogdan66.googlepages.com>

## **Training Materials**

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

- FIDIC Conditions of Contract
- Training Course
- Work Exercises

## **Who should attend?**

The course provides the necessary information for professionals from the Government, Employers, Contractors, Private Sector, Engineers, and Consulting Engineers.

It is also addressed to Quantity Surveyors, Legal Advisers, and Architects. It is important for the peoples involved in preparing and implementing projects under FIDIC Conditions of Contract.

## **Program Module 2 - Claims Management and resolution of disputes Extended:**

### **FIDIC Introduction and presentation of 1999 FIDIC documents**

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

- FIDIC introduction
- Background and reasons for change
- Examination of various types of Contract

### **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

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- 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**

# FIDIC 1999 – MANAGEMENT OF CLAIMS AND RESOLUTION OF DISPUTES

## FORMULAR DE INREGISTRARE

Detalii participant:

Prenume: _____	Confirm plata sumei de: _____
Nume: _____	Plata se face prin:
Firma: _____	Transfer bancar catre:
Adresa firmei: _____	Bogdan St Oprea PFA
_____	46, Campia Libertatii, Bl.52, Ap.62
CUI : _____	Detalii bancare:
Tara: _____	Raiffeisen Bank, Filiala Iancului
Telefon: _____	Swift Code: RZBRROBU
Fax: _____	Plata in Euro pentru persoane din afara Romaniei:
E-mail: _____	IBAN: RO06 RZBR 0000 0600 1583 1946
	Plata in RON for resident Entities:
	IBAN: RO47 RZBR 0000 0600 1583 1887

### 1) Pretul seminarului, inregistrarea si chitante

Taxa de inregistrare pe delegat: €500. Pentru organizatii guvernamentale, taxa pe delegat este de €400.

Pentru entitatile autohtone, plata se va face in RON, conform ratei de schimb valutar a BNR la data platii.

Taxa completa se poate plati in avans, si include pretul tuturor meselor, pauzelor de cafea/ceai, taxele de studiu, certificatul de curs si documentele adiacente, inclusiv cartea rosie de contracte FIDIC. Procesul de inregistrare nu va fi complet pana cand nu primim formularul de inregistrare semnat, iar plata facuta. Odata ce au fost primite amandoua, vom confirma cu delegatul inregistrat prin email sau fax. Ne rezervam dreptul de a refuza admiterea sau sa retinem materiale in caz ca nu a fost primita plata si sa modificam facturile pentru a reflecta schimbarile din TVA, daca exista. Inregistrarea se va incheia cu 5 (cinci) zile inainte de data evenimentului.

### 2) ANULARI

Anularile din partea delegatilor trebuie facute in scris si nu pot fii primite mai tarziu de 14 zile inainte de seminar, in cazul in care vom rambursa pretul cu o taxa de anulare de 10% pentru a acoperi costurile administrative. Dupa aceasta data, din pacate nu vor mai avea loc rambursari, si poate fi platita intreaga taxa de inregistrare. Pentru inregistrarile facute in cadrul a doua saptamani inainte de seminar, nu vor avea loc rambursari. Inlocuiri si modificari pot fii facute oricand.

### 3) ANULARI DIN PARTEA ORGANIZATORILOR

Ne rezervam dreptul de a anula evenimentul daca exista prea putini participanti, sau din orice alt motiv. In cazul unei anulari, vom restitui taxa de seminar integral. Ar putea fii de asemenea necesar, din motive care nu pot fii controlate de organizatori, sa fie schimbat continutul, instructorii, data, sau locatia seminarului. In cazul unei amanari, delegatii inregistrati au dreptul de a alege daca vor participa la seminar pe datile noi, sau sa ceara o rambursare. Organizatorii nu sunt responsabili pentru costurile de calatorie sau de acomodare pre-stabilite in cazul unei anulari sau amanari.

### 4) Acomodarile de hotel

Delegatii trebuie sa-si aranjeze propriile lor acomodari si plata acestora. Exista acomodare limitata la hotelul Novotel din Bucuresti. (Pentru mai multe informatii, vizitati [www.novotel.com](http://www.novotel.com))

### 5) Comisioane bancare si taxe

Toate comisioanele bancare pentru transferuri si depuneri sunt responsabilitatea delegatului si vor fi taxate delegatului daca sunt debitate contului nostrum.

**Am citit si accept termenii si conditiile:**

**Nume:**

**Semnatura:**

Din cauza numarului limitat de locuri, va rugam sa trimiteti formularul de inregistrare pe e-mail la: [bogdan66@gmail.com](mailto:bogdan66@gmail.com) sau prin fax la: + (4)0318151517