

COURSE PROGRAMME*

The FIDIC Contractor-Design Contracts: Practical Use of the Yellow and Silver Books
Athens, May 29-30, 2013

Day One Wednesday, May 29, 2013		Day Two Thursday, May 30, 2013	
09.00	Registration		Clauses 6, 7 and 8: Staff and labour; Plant, materials and Workmanship;
09.30	Course starts		Commencement, delays and suspension; the contract programme; extensions of time in the Yellow and Silver Book
09.30 - 11.00	Overview of FIDIC and the FIDIC construction contracts Outline of FIDIC and the FIDIC contracts. The main current construction forms: Red, Yellow, Silver and Gold Books; the MDB harmonised edition	09.00 - 11.00	Delay damages - right to levy - liquidated damages and penalties. Clauses 9-12: Tests on and after completion; Employer's Taking over; defects liability; tests after completion.
11.00 - 11.30	Refreshments	11.00 - 11.30	Refreshments
11.30 - 13.00	Latest developments The FIDIC Yellow and Silver Books: principles and detail FIDIC's Yellow Book: its development, use and the roles of Employer, Contractor and Engineer Background to EPC / Turnkey Projects: why the Silver Book? What is an EPC or turnkey project? When is an EPC/turnkey type of project delivery used?	11.30 - 13.00	Clauses 13 and 14: Variations, Adjustments and Payment. Clause 15: termination by Employer; Contractor default; termination for convenience. Clause 16: Suspension and Termination by the Contractor. Clauses 17-19: Allocation of specific risks; insurance obligations; Force Majeure - meaning and effect of force majeure events..
13.00 - 14.00	LUNCH	13.00 - 14.00	LUNCH
14.00 - 15.20	Advantages and pitfalls of the EPC/turnkey model from contractor/employers perspectives Structure of the Yellow and Silver Books Clauses 1-3: the General Provisions ; law and language of the contract; the priority of documents; importance of the Particular Conditions; coordinating the General with the Particular Conditions Roles of Employer, Contractor and their Representatives in the Silver Book compared with Employer. Contractor and Engineer in the Yellow; principal documents; Employer's Requirements; Employer's claims.	14.00 - 15.20	Clause 20: Contractor's claims; the Sub-Clause 20.1 time bar; importance of contemporary records; notices of claim; identifying claim events and circumstances. Dispute resolution in the FIDIC contracts through DAB and Arbitration The DAB process: what is a DAB and how does it work? What happens if the dispute is not finally resolved after a DAB ? Amicable settlement Arbitration: what is arbitration and how is an arbitration conducted? How can the successful party enforce an arbitration award?
15.20 - 15.40	Refreshments	15.20 - 15.40	Refreshments
15.40 - 17.00	Clauses 4 and 5: the contractor's obligations; design, execution, fitness for purpose in the Yellow and Silver Books. Unforeseeable difficulties/physical conditions; errors in Employers Requirements; Contractors Documents; performance security; progress.	15.40 - 17.00	Arbitration: what is arbitration and how is an arbitration conducted? How can the successful party enforce an arbitration award? Practical points about managing a dispute and reducing the risk of lengthy and expensive proceedings, concluding discussion;
17.00 - 17.30	Intervention: FIDIC model agreements and Greek laws	17.00 - 17.30	Presentation of certificates

* The course will be conducted in English

A 2-day FIDIC accredited training course in Athens

This 2-day intensive course will provide a thorough, up-to-date understanding of the main FIDIC contractor-design construction forms of contract. The provisions of the Plant and Design-Build (Yellow Book) and EPC/Turnkey (Silver Book) contracts will be considered in detail and compared and contrasted.

This course is aimed at providing systematic and practical guidance to anyone engaged in international projects with a design-build element. It will appeal to representatives of contractors, employers, developers, project sponsors and funders, insurers, plant and equipment manufacturers, engineers, project managers, lawyers and any others engaged in design-build projects with a cross-border element.

Which form should I use as the basis for my design-build project? What are the risks involved for the contractor and the employer? How can I better manage these risks and use and operate the contract more effectively and with better results than before?

The course is co-organized by **Matrix Seminars** of London and **Sfikakis & Associates** Law firm of Athens, under the auspices of HELASCO (ΣΕΓΜ – Σύνδεσμος Ελληνικών Γραφείων Μελετών).

Speakers

Dr William Godwin

The course will be led by **Dr William Godwin**, practising lawyer and FIDIC accredited instructor.

William is a barrister based in London specialising in construction, engineering, energy and infrastructure projects. He has over twenty years' experience of international construction including FIDIC and is a regular speaker at the FIDIC international users' conferences and at the annual Cambridge construction law summer school. He has successfully conducted numerous training courses on the FIDIC forms and writes and speaks widely on construction and other law topics. His latest publication is *International Construction Contracts: a Handbook*, which includes a large section on FIDIC and arbitration and has just been published by Wiley Blackwell. It is already a recommended source material on university programmes in China and Austria.

William holds a doctorate from Oxford University and is a first class honours graduate of University College London. He is a visiting lecturer in law at London University and at City University London and an arbitration panel member of the China International Economic and Trade Arbitration Commission and the Dubai International Arbitration Centre. He is an approved adjudicator of the English Technology and Construction Bar Association.

INTERVENTION: Petros Sfrikakis - FIDIC model agreements and Greek laws

Petros is a Greek lawyer, founder and managing partner of Sfrikakis & Associates Law Firm. His twenty year experience encompasses work in both corporate and public law. Amongst other areas of expertise, Petros also specialises in Greek and EU public procurement law; he has advised several public and private organisations on tenders, choice of procurement procedure, financial agreements etc. and has been involved in litigation before the supreme administrative courts Hellenic Council of State and Court of Audit as well as the European Commission. He has provided legal support for several commercial and public bodies such as for tenders of works for the Athens metro, the 2004 Athens Olympic Games, highways, railways, PPP contracts and numerous large-scale private projects.

Where will the course be held?

The course will be held at ROYAL OLYMPIC HOTEL in Athens, next to Temple of Olympic Zeus (Στήλες Ολυμπίου Διός)

For more information... www.fidicathens.gr

