



Fédération Internationale  
des Ingénieurs – Conseils



ECV Consultancy Ltd

PRESENT

# **International Contracts Training Course**

**AT THE HILTON AMSTERDAM**

**Amsterdam, The Netherlands**

**30<sup>th</sup> & 31<sup>st</sup> October 2017**

## **ECV Module 2**

### ***“The Management of Contract Claims and the Resolution of Disputes”***

***under the 1999 FIDIC Contracts (Red & Yellow Book)***

Presented by:

**David Heslett & Anthony Glover**

**For further information contact ECV**

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**Visit web sites**

**[www.fidic.org/events](http://www.fidic.org/events)**

**[www.ecvglobal.com](http://www.ecvglobal.com)**

**“The Management of Contract Claims  
and the Resolution of Disputes”  
under the 1999 FIDIC Contracts (Red & Yellow Book)**

## **OVERVIEW**

With all FIDIC contracts there will be claims. This training course is designed to provide practical assistance to those working with the FIDIC Contract Conditions (1999 Editions) in the management of claims and achieving resolution to claims and in particular the workings of the Dispute Adjudication Board.

It is applicable to all the Parties involved within a 1999 FIDIC Contract – the Employer, the Contractor, the Engineer, and the DAB Members. By having a professional understanding of the responsibilities and rights of the Parties under a FIDIC Contract and the procedures to manage claims, the resolution of claims will be achieved more successfully. The World Bank and the IFI's also require a Dispute Board on the same basis as the FIDIC Contract as detailed in the “MDB's Harmonised Construction Contract”. The principal tutor of the course is a very experienced British engineer, who has extensive involvement with FIDIC claims, disputes, adjudication, and arbitration procedures throughout the world.

In addition, a review of the proposed changes to claims and dispute procedures as indicated in the “preview” version of the 2<sup>nd</sup> edition Yellow Book

### **SEMINAR TUTORS:**

**DAVID HESLETT BSc (Hons) C.Eng, FICE**  
***Managing Director, ECV***

**ANTHONY GLOVER AMICE**  
***Director, ECV***

The tutors are provided by ECV Consultancy Ltd (ECV) in association with FIDIC. ECV specialises in training and management consultancy to the international construction and infrastructure industries. The ECV tutors have provided training courses in 85 countries involving over 30,000 professionals' worldwide since 2000.

## **COURSE MATERIALS**

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

- FIDIC Conditions of Contract for Construction (Red Book) 1999 edition
- FIDIC Conditions of Contract for Plant & Design-Build (Yellow Book) 1999 edition
- Schedule of overheads used during the seminar – to be used as “Work Book”
- Work Exercises for use within the course
- Aide Mémoire on changes incorporated in the MDBs' Harmonised Construction Contract

## **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 International Projects.

**ALL COURSES AND TUTORS ARE ACCREDITED BY FIDIC  
AND FIDIC / ECV CERTIFICATES ARE PROVIDED TO THE DELEGATES**

# **Programme**

## **Day 1: 09.00 – 17.00**

08:45	<b><u>Registration of Participants</u></b>	
09:15	<b><u>Session 1:</u></b> <b><i>Project Risks &amp; Causes of Claims</i></b> <ul style="list-style-type: none"><li>• Project Risk Management</li><li>• Selection of Contract</li><li>• FIDIC Risk allocation</li><li>• Causes of Claims</li><li>• Legal Issues</li></ul>	
10:45	<b>Coffee Break</b>	
11:15	<b><u>Session 2:</u></b> <b>Claims and Contractual Procedures</b> <ul style="list-style-type: none"><li>• Clause 2.5 Employer's Claims</li><li>• Clause 20.1 Contractor's Claims</li><li>• Clause 3.5 Engineer's Determination</li></ul>	
13:00	<b>Lunch Break</b>	
14:00	<b><u>Session 3:</u></b> <b>Time related Entitlements</b> <ul style="list-style-type: none"><li>• Employer's Entitlement</li><li>• Programme</li><li>• Extension of Time</li><li>• Justification of Time Claims</li></ul>	
15:30	<b>Coffee Break</b>	
15:50	<b><u>Session 4:</u></b> <b>Additional Payment Claims</b> <ul style="list-style-type: none"><li>• Employer's Claims</li><li>• Contractor's Claims</li><li>• Substantiation</li><li>• Evaluation by Engineer</li><li>• Prolongation and disruption Claims</li></ul>	
17:00	<b><u>End of Day 1</u></b>	

## **Day 2: 09.00 – 17.00**

09:00	<b><u>Session 5:</u></b> <b>Establishment of Dispute Adjudication Boards (DAB)</b> <ul style="list-style-type: none"><li>• Types of DAB</li><li>• Terms of Agreement</li><li>• Payment Conditions</li></ul>	
10:45	<b>Coffee Break</b>	
11:15	<b><u>Session 6:</u></b> <b>DAB Procedural Rules (PR)</b> <ul style="list-style-type: none"><li>• Procedural Rules</li><li>• DAB Decision Process</li><li>• Position Papers / Hearing</li></ul>	
13:00	<b>Lunch Break</b>	
14:00	<b><u>Session 7:</u></b> <b>DAB Decision</b> <ul style="list-style-type: none"><li>• Format of Decision</li><li>• Dissatisfaction with Decision</li><li>• DAB Work exercises</li></ul>	
15:30	<b>Tea Break</b>	
15:50	<b><u>Session 8:</u></b> <b>Engineer as DAB, Amicable Settlement &amp; Arbitration</b> <ul style="list-style-type: none"><li>• Engineer as DAB</li><li>• Amicable Settlement</li><li>• Arbitration</li></ul>	
	Aide Mémoire on MDB's amendments to FIDIC procedures	
16:30	<b><u>End of Day 2</u></b>	

**Throughout the seminar there will be opportunities for questions, and work exercises will be used in each session.**

**Also reference will be made to the proposed changes in the "Preview" 2<sup>nd</sup> edition 2017 Yellow Book**

**Delegate Fee Euro 950**

(includes lunch and refreshments and course materials)

**For 2 or more delegates from same organisation Delegate Fee Euro 850**

**Seminar Venue – HILTON AMSTERDAM**

**Apollolaan 138, 1077 BG Amsterdam, Netherlands**

**Tel: +31 (0) 20 710 6000 Fax: + 31 (0) 20 710 6080**



## Registration Form

**"Two-day Accredited FIDIC Course on:**

***"The Management of Contract Claims  
and the Resolution of Disputes"***

***under the 1999 FIDIC Contracts (Red & Yellow Book)  
(Construction and Plant & Design-Build Contracts)***

**In Amsterdam, Netherlands on**

**30<sup>th</sup> & 31<sup>st</sup> October 2017**



**ECV Consultancy Ltd**

### Delegate details

First name: \_\_\_\_\_

Family name: \_\_\_\_\_

Organisation name: \_\_\_\_\_

Organisation address: \_\_\_\_\_

Post Code: \_\_\_\_\_

Country: \_\_\_\_\_

Telephone: \_\_\_\_\_

Facsimile: \_\_\_\_\_

E-Mail: \_\_\_\_\_

**I confirm payment of € 950**

**For 2 or more delegates from same organisation I  
confirm payment of € 850 per delegate**

#### **Payment by:**

☐ **Cheque/Bank Transfer - Payable to:**  
**ECV Consultancy Ltd**  
Nat West Bank  
High Street  
Bedford MK40 1NE

Account No: 550 / 01 / 650 17919 (Euro Account)

Sort Code No 60 02 13

Swift Code NWBKGB2L

IBAN: GB83NWBK 6072 1165 0179 19

☐ **Credit Cards**

**Registrations by credit card:** Participants may  
Register online for payment by credit card at  
[www.ecvglobal.com](http://www.ecvglobal.com)

**Please complete and send this form to:**

**ANTHONY GLOVER  
ECV CONSULTANCY LTD (ECV)**

**Chaussée de Vleurgat, 174**

**B-1000 Brussels**

**Belgium**

**E-mail: [glover.bru@gmail.com](mailto:glover.bru@gmail.com)**

### Terms and Conditions

#### **1. Registrations:**

By E-mail to ECV offices with payments by bank transfer, or  
by credit card see details below

Participants may register online for payment by credit card at  
[www.ecvglobal.com](http://www.ecvglobal.com)

**2. Payment receipts:** All registered delegates will receive  
an acknowledgement of registration, together with  
confirmation of payment.

**3. Cancellations:** Cancellations by delegates must be  
made in writing and received two weeks before the seminar.  
It is regretted that no refunds will be made or invoices  
cancelled after this date and the full Registration fee will be  
payable. Substitutions may be made at any time.

**4. Cancellation by organisers:** We reserve the right to  
cancel the event if it is under subscribed or for any other  
reason. In the event of cancellation we will endeavour to give  
delegates two weeks notice and the fee will be refunded in  
full. We cannot be held liable for any pre booked travel or  
accommodation costs.

**5. Hotel Accommodation:** Participants will be  
responsible for organising their own hotel accommodation  
and payment thereof.

**Email for Hilton Amsterdam :**

**[info.amsterdam@hilton.com](mailto:info.amsterdam@hilton.com)**

**I have read and accept the Terms and Conditions**

Name: .....

Position: .....

Signature: .....