



DBO Contract 1st Ed

(2008 Gold Book)

The **FIDIC** forms of contract, however lesser used is the **Conditions of Contract for Design Build and Operate Projects** which was published by **FIDIC** in **2008 (the Gold Book)**. This form of contract creates the opportunity for a contractor to have two very distinct roles within an overarching contractual framework.

The Gold book is intended for use where the employer plans on employing a single contractor to design, build and subsequently operate a construction project for a considerable period of time (usually twenty years), where the contractor has no responsibility for the financing or ultimate financial success of the project and the project is a **"greenfield"** project.

PROGRAMME

SESSION 1

- 1.1. Manage Change under the DBO
- 1.2. Think Legally

SESSION 2

- 2.1. Role of the Employer's Representative
- 2.2. Role of the Auditing Body

SESSION 3

- 3.1. Managing Change: Variations during Design & Build and Operation

SESSION 4

- 4.1. Contractor's and Employer's Claim under the DBO
- 4.2. Typical FIDIC claims
- 4.3. Special DBO claims

SESSION 5

- 5.1. Claims Procedures
- 5.2. Employer's Claims
- 5.3. Contractor's Claims

SESSION 6

- 6.1. Determinations, Payment Certificates

SESSION 7

- 7.1. Cost and EOT Claims : The Headings
- 7.2. Design & Build
- 7.3. Operation Service
- 7.4. Particulars on Quantum (Mitigation and acceleration, claims for additional payment)

SESSION 8

- 8.1. Cost and EOT Claims
- 8.2. Preparation and Presentation of Claims
- 8.3. Design & Build
- 8.4. Operation Service
- 8.5. Processing Contractor's & Employer's Claims

SESSION 9

- 9.1. Appointment of DABs and Disputes
- 9.2. Design & Build
- 9.3. Operation Service

SESSION 10

- 10.1. DAB's Procedure under the Gold Book Principles

SESSION 11

Arbitration

SESSION 12

- 12.1 Case Studies & Exercises



COURSE INSTRUCTOR
Dr. Gotz-Sebastian Hok

Is a lawyer, arbitrator, adjudicator, lecturer at the University of Applied Science in Berlin and a senior and partner at the law office, Dr. Hok, Stieglmeier & Kollegen, which has its seat in Berlin. His area of practise includes international construction contract law, international public procurement and trans-border real estate law. He has specialised in these areas of law since becoming a lawyer in 1991.

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