



PRESENT

**INTERNATIONAL CONSTRUCTION CONTRACTS TRAINING COURSE**

ON

**“THE PRACTICAL USE OF THE 1999 FIDIC CONDITIONS OF CONTRACT” with Special Emphasis on**

**DESIGN-BUILD & EPC TURNKEY CONTRACTS**

AT

**DOUBLE TREE by HILTON Istanbul - Moda, TURKEY**

**November 27 - 28, 2014**

**Tutors:**

**Geoff SMITH**, *Civil Engineer, Lawyer, International FIDIC Accredited Trainer, FCI Arb*

**Levent IRMAK**, *MSc. Civil Engineer, Contracts Consultant, Principal & Founder of MC<sup>2</sup> MODERN*

**For Further Information contact: MC<sup>2</sup> MODERN Construction Consulting**

**Main Office**

Saray Mah. AKKOM Ofis Park 2. Blok, Kat.10  
34768 Ümraniye, Istanbul, Turkey  
T: (+90) 216 250 3234 F: (+90) 216 250 3232

**Ankara Office**

The Paragon Tower, Ufuk Üniversitesi Cad.  
No: 3 Kat: 23 Söğütözü, Ankara, Turkey  
T: (+90) 312 258 6320 F: (+90) 312 258 6302

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[www.fidic.org/events](http://www.fidic.org/events) [www.mc2modern.com](http://www.mc2modern.com)



# 1999 FIDIC Conditions of Contract with Special Emphasis on DESIGN-BUILD and EPC Turnkey Contracts



## ABOUT THE COURSE and TOPICS COVERED

This 2-day training course will provide a thorough and up-to-date understanding of the main 1999 FIDIC construction forms of contract (**Red, Yellow and Silver**). The course begins by introducing FIDIC and the FIDIC suite of contracts, including latest developments. It will continue with a detailed consideration of the individual clauses of the Books, comparing and contrasting them with respect to certain key issues. A particular focus shall be given to the **design-build** forms and the key aspects of and differences between the **EPC/Turnkey** model of the **Silver Book** and the more traditional **Yellow Book**, such as contractor responsibility for design, fitness for purpose, errors in Employer's Requirements, and unforeseeable physical conditions. The course will cover explanations, illustrations and case studies for the use of the FIDIC Conditions of Contract. In addition, certain aspects of the MDB Harmonized Edition will be discussed.

## SEMINAR TUTORS

The tutors are provided by MC<sup>2</sup> MODERN in collaboration with FIDIC. The training course is provided by two recognized professionals in the construction industry who possess extensive international experience.

### Geoff SMITH

Geoff Smith is a Chartered Civil Engineer and a Barrister, a FIDIC-accredited international trainer, an accredited Mediator and a Fellow of the Chartered Institute of Arbitrators and a partner in PS Consulting in Paris. He is a member of the FIDIC President's List of Approved Dispute Adjudicators. He has worked on projects throughout Asia, Africa, Middle East and Europe. He acts as arbitrator, counsel, expert and Dispute Board member. He regularly trains on FIDIC contracts and dispute resolution for FIDIC, ADB, World Bank, JICA, OECD and the EU.

### Levent IRMAK

Mr. Irmak is a Civil Engineer with MSc degree in construction management and the founder and principal of MC<sup>2</sup> MODERN. He started his career in the US and worked as claims manager for leading construction companies and has been acting as a consultant to construction companies and project owners in projects with a total value of over 7 billion USD. He regularly trains on FIDIC contracts and international contract management practices, serves as Contracts/Claims consultant, Expert Witness and party representative on construction disputes.

## COURSE MATERIALS

- FIDIC Conditions of Contract for Plant & Design-Build (**Yellow Book**) and EPC Turnkey Contract (**Silver Book**)\*
- Set of presentation slides used during the training seminar – to be used as "work book",
- Course Notes for supplemental information on Construction Contracts and Work Exercises

## WHO SHOULD ATTEND?

The training course provides the essential knowledge to construction professionals who work at Construction Companies, State or Private Employer Organizations, Consulting/Architecture & Engineering Firms, Sub-Contracting Companies, Lawyers, Financing Institutions and to those who are involved in managing international construction projects financed by multilateral development banks.

\* See [Registration Form](#). Delegates may request for FIDIC Conditions of Contract for Construction (**Red Book**) in lieu of Yellow or Silver book no later than 14-Nov-2014.

## PROGRAMME

### Day 1: 27-November-2014

8:30 - 9:00 Registration, Coffee/ Tea

#### Session 1 (9:00 - 10:30)

Introduction & Principles:

- FIDIC: Organization and Background
- Examination of Contracts
- Structure of the Documents
- Risk Analysis
- Which Book to use?

10:30 - 11:00 Coffee Break

#### Session 2 (11:00 - 12:30)

Role & Responsibilities of the Main Parties

- The Employer
- The Contractor
- The Engineer
- Nominated Subcontractors

12:30 : 13:30 Lunch Break

#### Session 3 (13:30 - 15:00)

Design

- Essentials of Specifications & Employer's Requirements
- Responsibility & Liability for Design
- Legal Aspects of Design Obligation (Duty of Care & Fitness for Purpose)
- Aspects of Design-Build & EPC Turnkey Contracts (Yellow Book vs. Silver Book)

15:00 - 15:20 Coffee Break

#### Session 4 (15:20 - 17:00)

The Management of Projects-1

- Staff and Labour
- Plant, Material and Workmanship
- Commencement, Delays and Suspension
- Tests on Completion & Tests after Completion

### Day 2: 28-November-2014

8.30 - 9.00 Coffee/ Tea in Foyer

#### Session 5 (9:00 - 10:30)

The Management of Projects-2

- Employer's Taking Over, Defects Liability
- Measurement and Evaluation
- Variations and Adjustment
- Contract Price & Payment

10:30 - 11:00 Coffee Break

#### Session 6 (11:00 - 12:30)

Termination, Risk & Responsibility, Insurance, Force Majeure

- Termination by Employer
- Suspension and Termination by Contractor
- Risk and Responsibility
- Liability and Insurance, Force Majeure

12:30 - 13:30 Lunch Break

#### Session 7 (13:30 - 15:00)

Claims, Disputes and Arbitration

- Notice of Claim, SC20.1 Time Bar
- Contractor's Claims Procedures
- Employer's Claims Procedures
- Disputes & Amicable Settlement
- Dispute Adjudication Board - Arbitration

15:00 - 15:30 Coffee Break

#### Session 8 (15:30 - 17:00)

- Future Developments in FIDIC Contracts
- Red Book vs. MDB Harmonised Version
- Case Studies

- Throughout the seminar, there will be opportunities for questions, Sample Cases to be studied and interactive work exercises involving different contract clauses and circumstances.
- Training Seminar Fee includes all lunches, coffee/tea breaks, tuition, course certificate and documentation, including two FIDIC Contracts (Yellow and Silver Books).

*Two-day Training Course entitled:*

**“The Practical Use of the 1999 FIDIC Conditions of Contract”  
with Special Emphasis on**

### **DESIGN-BUILD & EPC TURNKEY CONTRACTS**

**27-28 November 2014**

DOUBLE TREE by HILTON  
Istanbul-Moda, Turkey

Please complete in **BLOCK CAPITALS**; details to appear on name badges.

#### **Delegate & Company details:**

Mr/Mrs/Miss/Ms  
(First & Surname) \_\_\_\_\_

Job Title \_\_\_\_\_

Company \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ Country \_\_\_\_\_

TAX ID No. \_\_\_\_\_

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

Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Registration Fee per delegate: €890\*

\* For 2 or more delegates from same organization €790

\* For Invoices issued to local tax-paying entities, see Terms & Conditions.

#### **Payment Method:**

Bank Transfer payable to:

MC2 MODERN Danismanlik  
Saray Mah. AKKOM Ofis Park 2 Blok K: 10  
34768 Umraniye, Istanbul

Türkiye İş Bankası  
Kiziltoprak, Istanbul  
Branch Code (1071)

Account No: 1071 - 0725237  
Swift Code: ISBKTRxxx  
IBAN: TR42 0006 4000 0011 0710 7252 37

#### **SELECTION OF DOCUMENT**

I would like to get FIDIC Conditions of Contract for Construction (Red Book) in lieu of:

FIDIC Conditions of Contract for Plant and Design-Build (Yellow Book) or

FIDIC EPC / Turnkey Contract (Silver Book)

If no box is checked, Yellow & Silver Books will be provided.

#### **How to Register**

**By Email:** E-mail completed Registration Form to:  
[register@mc2modern.com](mailto:register@mc2modern.com)

**By Fax:** Fax completed Registration Form to (+90) 216 250 3232.

**By Phone:** Phone us to start registration process at (+90) 216 250 3234

**ONLINE:** Online Registration is available on FIDIC website ([fidic.org/events](http://fidic.org/events)).

#### **Terms and Conditions**

##### **1) Seminar Fee, Registration & Payment Receipts**

The full fee is payable in advance in Euro and includes the cost of all lunches, coffee/tea breaks, tuition, course certificate and documentation, including two FIDIC Contracts (Yellow & Silver Books). Delegates may request by ticking an appropriate box on bottom of left column for FIDIC Conditions of Contract for Construction (Red Book) in lieu of Yellow or Silver Book no later than 14-Nov-2014. Please note that the registration process shall not be complete until the signed Registration Form and Payment are received by us. Once both received, we will confirm it with the registered delegate by an acknowledgement via email. We reserve the right to refuse admission or withhold materials if payment is not received and to adjust invoices to reflect changes in VAT if any. Registration will be closed 7 (seven) days before the event date.

##### **2) CANCELLATIONS**

Cancellations by delegates must be made in writing and received no later than 14 days before the seminar, in which event we will refund the fee less 10% cancellation charge to cover administration costs. After this date it is regretted that no refunds of fees will be made and the full registration fee will be payable. For registrations made within two weeks of the date of the seminar, no refund shall be made. Substitutions may be made at any time.

##### **3) CANCELLATION BY ORGANIZERS**

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 refund the seminar fee in full. It may also be necessary for reasons beyond the control of the Organizers to change the contents, the tutors, the date or the venue of the seminar. In case of postponement, registered delegates have the right to choose to attend the seminar on the new dates or to request for refund. Organizers shall not be held liable for any pre-booked travel or accommodation costs in case of cancellation or postponement.

##### **4) Hotel Accommodation**

Delegates must arrange for their own hotel accommodation and payment thereof. When booking, you may ask for a discounted rate at the event hotel. (Book direct with Double Tree by Hilton-Istanbul Moda (+90) 216 542 4344. For more info, visit [www.hilton.com.tr/istanbul/doubletree-by-hilton-istanbul-moda](http://www.hilton.com.tr/istanbul/doubletree-by-hilton-istanbul-moda))

##### **5) Bank Charges and Taxes**

All bank-charges for Wire Transfers or Deposits are the delegate's responsibility and shall be invoiced to the delegate if it is charged to our account. For Invoices issued to tax-paying Entities from within Turkey, VAT (18%) and Withholding Tax (20% - Stopaj) shall be the responsibility of such Entity.

I have read and accept the above Terms and Conditions.

Name \_\_\_\_\_

Job Title \_\_\_\_\_

Signature \_\_\_\_\_

Any questions, please call (+90) 216 250 3234 or e-mail: [info@mc2modern.com](mailto:info@mc2modern.com)