

“The Practical Use of the 1999 FIDIC Conditions of Contract & MDBs’ Harmonised Construction Contract - 2006 Edition”

Overview



The 1999 FIDIC Conditions of Contract are being increasingly used by the international Construction Industry throughout the World. The Multi-Lateral Development Banks, including the World Bank, Inter -American Development Bank & Caribbean Development Bank have adopted the 1999 FIDIC Conditions of Contract for Construction with modifications known as Harmonised Construction Contract.

Module 1 gives the delegates a sound understanding on the practical use of the FIDIC Construction (Red Book) & Design-Build (Yellow Book) Contracts. The procedures and application of the Contract clauses are explored and made realistic through extensive work exercises. Delegates will be much more confident in using these complex Contracts after completing the course.

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 the implementation and management of large Works Contracts. It is particularly important to those involved in preparing or managing infrastructure projects financed under MDBs’ Funds, the EU Cohesion and Structural Funds, as all their Works Contracts use the FIDIC Conditions of Contract.

COURSE FACILITATOR:

Mr. Bogdan Oprea is an accredited FIDIC trainer and experienced in the use of FIDIC Contracts who gained International experience in various civil engineering fields in a number of countries (Europe, Far East, Middle East and Africa). He is a member of Dispute Resolution Board Foundation of the Romanian Association of Consulting Engineers. He served recently as Mediator, Negotiator and Adjudicator under FIDIC conditions of Contract on several International contracts. Mr. Bogdan is a facilitator in the fields of Civil Engineering, Buildings and Infrastructures.



Mr. Bogdan Oprea
(BSc CEng DEA)

COURSE MATERIALS:

- Delegates will be provided the following materials, in English:
- FIDIC Conditions of Contract for Construction 1999 Edition (Red Book)
 - Work Exercises
 - Notes on changes incorporated in the MDBs’ Harmonised Construction Contract, 2010 edition

ABOUT ACE:

The Association of Consulting Engineers (Mauritius) – ACE – is an association of individuals and firms working in Mauritius as consulting engineers in civil, structural environmental, electrical and mechanical engineering.

Because engineering is a regulated profession, all members of the Association are required to have at least one director who is a Registered Engineer with the Council of Registered Professional Engineers Mauritius.

Board members:

Michel Patte, **President**; Jayesh Desai, **Vice President**; Jayshon Rammah, **Secretary**; Kim Currun, **Treasurer**; Vikramsing Bhujun; Deven Daliah, Chand Khushiram.





PROGRAMME OUTLINE

Throughout the seminar there will be opportunities for questions, and where appropriate, case studies will be introduced



Day 1: 8:30 – 5:00 (December 15)

- 8:30 **Registration of Participants**
- 9:00 **Session 1: Introduction & Principles**
 - . Background / History
 - . Examination of Contracts
 - . Basic Principles
 - . Risk Analyses
 - . Selection of Appropriate Contracts
- 10:30 **Coffee Break**
- 11:00 **Session 2: Clauses 1 & 2**
 - . General provisions
 - . Responsibilities of the Employer
 - . Funding by Employer
 - . Claims by Employer
- 13:00 **Lunch Break**

- 14:00 **Session 3: Clauses 3 & 4**
 - . Responsibilities of the Engineer
 - . Delegations by Engineer
 - . Engineers Determinations
 - . Responsibilities of the Contractor
- 15:30 **Tea Break**
- 15:50 **Session 4: Clauses 5 (RB & YB), 6 & 7**
 - . Nominated Contractors (Red Book)
 - . Design (Yellow book)
 - . Contractors Documents (Yellow Book)
 - . Labour Requirements
 - . Workmanship
- 17:00 **End of Day 1**

Day 2: 9:00 – 5:00 (December 16)

- 9:00 **Session Session 5: Clauses 8,9,10,11 & 12 (YB)**
 - . Commencement Procedure
 - . Programme
 - . Extension of time
 - . Suspension
 - . Taking over Certificate
 - . Defects period & Performance Certificate
- 10:30 **Coffee Break**
- 11:00 **Session: 6: Clauses 12 (RB), 13, & 14**
 - . Measurement
 - . Evaluation
 - . Variations
 - . Payment
- 13:00 **Lunch Break**

- 14:00 **Session 7: Clauses 15,16,17,18 & 19**
 - . Termination by Employer
 - . Suspension / Termination by Contractor
 - . Risks and Responsibilities
 - . Insurance
 - . Force Majeure
- 15:30 **Tea Break**
- 15:50 **Session 8: Clause 20**
 - . Contractor's Claims
 - . Disputes Adjudication Board
 - . Amicable Settlement
 - . Arbitration
- Differences between FIDIC & MDB's Harmonised Construction Contract (Provided as Aide Mémoire)*
- 17:00 **End of Day 2**



MODULE 1:

The Practical Use of the 1999 FIDIC Conditions of Contract & MDBs' Harmonised Construction Contract – 2006 Edition FIDIC

Two Day MQA-approved and FIDIC-accredited training course on:

THE PRACTICAL USE OF THE 1999 FIDIC CONDITIONS OF CONTRACT FOR CONSTRUCTION (RED & YELLOW BOOKS)

REGISTRATION FORM

Personal Information

Title (Please tick, where appropriate)

Mr Mrs

Surname:

Name:

Mobile: Email:

Company Details

Company Name:

Post Address:

Payment Details

Mode of payment (Please tick, where appropriate)

Cash (MUR) Bank Transfer (MUR)

Bank Transfer (EUR) Credit Card (EUR)

The Invoice be issued to

Company

Participant

Specific requirement

Menu preference (Please tick, where appropriate)

Vegetarian Non-vegetarian

Any other dietary specifications

Assistance for disability should be stated

I have read and accept the Terms and Conditions as stipulated above.

Initials/Signature:

Date:

TERMS AND CONDITIONS

1. REGISTRATION

- Participants should register by e-mail with payments by cash, bank transfer or credit card via www.fidic.org
- Please complete and send this form to admin@acemauritius.mu, copy to yuvna.juwaheer@prodesign.mu, smwamsamali@fidic.org
- Registration and payment deadline: 8 Dec 2014 (unless otherwise arranged) to allow course preparation logistics.

2. PAYMENT

- Registration fee per participant:
 - ACE Member: Rs18,000/ € 450
 - Non-ACE Member: Rs 22,000/€ 550
- Bank Transfer (*in Rupees*) is payable to:
 - Association of Consulting Engineers (Mauritius)**
 - Bank: Mauritius Commercial Bank (MCB) Ltd, Sir William Newton Street, Port-Louis, Republic of Mauritius
 - Account No : 00441602223
 - Swift: MCBLMUMU
 - IBAN: MU04MBL094400441602223000MUR
- Bank transfer (*in Euros*) is payable to:
 - Fédération Internationale des Ingénieurs Conseils (FIDIC)**
 - Bank: Credit Suisse, Paradeplatz 8, 8021 Zürich, Suisse.
 - Account: 274644-02-1, Clearing: 4835, Sort Code: 80.500.4
 - Swift: CRESCHZZ80A,
 - IBAN: CH24-0483-5027- 4644 0200-1
- Online registration and payment (EUR) can be done by credit via

<http://fidic.org/events/fidic-contracts-course-module-1-mauritius-15-16-december-2014>

- All registered delegates will receive an acknowledgement of registration together with confirmation of payment.

3. HRDC REFUND FOR MAURITIAN DELEGATES:

Since this course is MQA-approved, delegates (whose employers contribute monthly to the training levy) can apply for HRDC refund. Kindly contact Yuvna Juwaheer on 4544545 or by email yuvna.juwaheer@prodesign.mu, for more details about the refund.

4. CANCELLATIONS & TRANSFERS:

- 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 1st Dec 2014 and full registration fee will be payable. But substitutions may be made at any time.
- 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.