

FIDIC-Training Programme

There is an essential need to standardize the knowledge of consulting engineering business practices across national boundaries, and to have those who understand and use these standard practices recognized. The FIDIC Training Programme responds to this need to upgrade the management capabilities of consulting engineer firms, clients bodies, contractors and infrastructure industry professional and public procurement staff by organizing a series of training courses based on the FIDIC Guide to Practice Training Manual and the FIDIC Contracts Training Manual.

Assistant Secretary General of JEA
Eng. Mohd Abu Afifeh



FIDIC Middle East Training Center

Module 3

Dispute Adjudication Board (DABs)

مجلس فض الخلافات

Amman, Jordan 16-17 December 2015

About these Workshops

This special two-day event has been designed to enable parties, their representatives, Engineers and Dispute Board members to understand and manage the DAB process.

The FIDIC Module 3 Workshop program has been designed to be highly practical and include active participation in 'hands-on' workshops and discussion sessions.

The workshop leader Dr. Götz-Sebastian Hök is highly qualified in experience of the FIDIC Contracts.

About the Trainer

Dr. Götz-Sebastian Hök graduated in Law from Göttingen University and is a German solicitor registered at the Berlin Bar. He has extensive international project and commercial experience gained while living and working in Europe, the Middle East, Africa and Asia.

For the past 20 years he has been partner and senior partner of Dr. Hök, Stieglmeier & Kollegen. Dr. Hök is acting as arbitrator, adjudicator and legal counsel and also as an accredited FIDIC trainer. He is a lecturer at Berlin University of applied science for construction contract management law. Since 2009 he is a FIDIC listed Adjudicator (FIDIC President's List). He was member of DABs and arbitral panels in Armenia, Bosnia, Germany, Latvia, Mali, Mexico, Poland and Tanzania. He has been acting as a Mediator for projects in Latvia, Spain and Palestine.

Dr. Hök has written various books and articles in French, English and German on FIDIC forms of contract. He is a co-author of the book FIDIC for Practitioners and member of the German Dispute Adjudication Assessment Panel and former past Chairman of Eurojuris Commission International Litigation. He was also a friendly reviewer of the FIDIC Gold Book and the FIDIC Subcontract form for Construction. He is currently the legal advisor of three FIDIC Task Groups and the current Chairman of the FIDIC Trainer Assessment Panel.

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FIDIC INTERNATIONAL TRAINING PROGRAMME

FIDIC Contract Module 3
Dispute Adjudication Board (DABs)



Who should attend?

This event will be of great interest to all those actively involved in international projects, including representatives from Consulting Engineers, Contractors, Funding Agencies, Employers, Insurers, Manufacturing Organizations as well as representatives from the Legal and other Construction Professions.

Certificates and documentation

Participants will receive a FIDIC course completion certificate, copy of the FIDIC 1999 contracts book referred to during the event, plus full written documentation.

Course Outline

The two day programme aims to:

- Explain the use of DABs in the FIDIC Construction and Plant and Design-Build Contracts and the application of Dispute Board rules and procedures. The FIDIC Short Form of Contract and the FIDIC EPC/Turnkey Contracts are also covered, using the Construction and Plant Contracts as the basis.
- Explain the procedures and application of the Dispute Adjudication requirements under these contracts to those wishing to work as dispute adjudicators as well as those who will use Dispute Adjudication Boards either as an Employer, Engineer or Contractor.
- Focus on the experience gained from DAB processes for those with a good basic understanding of DAB processes and procedures, but need in-depth practical knowledge and problem solving scenarios.

Day 1

1 Introduction

- » DRB v DAB
- » Dispute avoidance v dispute resolution
- » Standing v ad hoc

2 Appointment of Standing Boards

- » Who?
- » How?
- » Dispute Adjudication Agreement, fees etc.
- » Objections

3 Dispute Avoidance

- » Site visits
- » Opinions and reports
- » Dispute avoidance in practice

4 Workshop 1 – Challenges and conflicts of interest

5 Disputes and their resolution

- » Definition of “dispute”
- » Operation of clause 20
- » DB Rules – FIDIC, ICC etc.
- » Alternative methods for dispute resolution

6 Ad Hoc DABs

- » Appointments
- » Considerations – who to appoint?
- » Refusal to sign the DAA
- » Jurisdictional objections

7 Workshop 2 – Jurisdictional challenges

8 Q&A

FIDIC Middle East Training Center's Events

The workshop leader is highly qualified in FIDIC Contracts and is a FIDIC Accredited Trainer.

How to register

By Email: Please email full registration information or Booking Form to: m.ahmad@jea.org.jo

By Fax: Please complete the attached Booking Form, inserting event date & location and fax it to: +962-6-5650537

By Phone: Just phone Registrations on +962-6-5000900 Ext: 194

By Mob: +962-79-7763242

Fees: USD 1000 per delegate. . For multiple delegates, the fee is USD 950 per delegate.

The full fee is payable in advance and includes the cost of all lunches, refreshments, tuition, course certificate and documentation, including a copy of the FIDIC contracts to be discussed during the workshop.

FIDIC INTERNATIONAL TRAINING PROGRAMME TRAINING COURSE

Understanding DABs: Enabling parties, their representatives, Engineers and Dispute Board members to understand and manage the DAB process.

Day 2

1 The Course of the Referral

- » Notice of intention to refer
- » Timetable
- » Submissions
- » Powers

2 Evidence

- » Factual witnesses
- » Experts
- » Documentation

3 The Hearing

- » Or documents only?
- » Presenters
- » Who should attend?
- » Agenda and format
- » Site visit?

4 Workshop 3 – Evidential issues

5 The Decision

- » Deadline and extension
- » Form
- » Enforcement
- » Majority decision and dissent

6 Termination and Resignation, Liability

- » Normal ending of appointment
- » Dismissal or resignation; replacement
- » Liability of DAB members

7 Workshop 4 – Mock DAB Hearing

8 Q&A

