



In association with

MATRIX Seminars

PRESENT

A two and a half day FIDIC accredited training course on:
The FIDIC Gold and Silver Books: practical use of the Design-Build-Operate and EPC/Turnkey forms of contract; Dubai 24th to 26th September 2013



Matrix Seminars is an accredited FIDIC training supplier

To register or for further information:

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www.matrix-seminars.com

The FIDIC Gold and Silver Books: practical use of the Design-Build-Operate and EPC/Turnkey forms of contract

About the course

This 2 ½ -day intensive course will provide a thorough understanding of two FIDIC forms of contract of growing importance in international projects: the relatively recent (2008) Design-Build-Operate (Gold Book) form and the EPC/Turnkey (Silver Book) form of contract. The course is accredited by FIDIC and each delegate will receive a certificate of participation.

Topics covered

The course begins by introducing FIDIC and the FIDIC suite of contracts, including latest developments. We place the Gold and Silver Books in context, examining the specific needs or objectives which each form was introduced to meet and showing how each relates to and contrasts with the other FIDIC forms.

We follow with a detailed consideration of the individual clauses of the two Books, beginning with the EPC/Turnkey model of procurement underlying the Silver Book and highlighting the main distinguishing features of this FIDIC design-build form. We examine the main clauses of the Gold Book, comparing and contrasting its design-build elements with the Silver Book on such key issues as contractor responsibility for design, fitness for purpose, errors in Employer's Requirements and unforeseeable physical conditions. We highlight the new procedures, terminology and structure of the Gold Book so that delegates will have a thorough grasp of this complex area, and we consider such

issues as whether and to what extent the Gold Book can be adapted to brownfield (upgrading or refurbishment) projects, sometimes called Operate-Design-Build, as opposed to new-build or greenfield scenarios.

Topics to be covered include practical points about drafting particular conditions (including the new structure in the Gold Book) and the need to co-ordinate them with the general conditions; progress and programme; delays and extensions of time; delay damages – penalties and liquidated damages; plant, materials and workmanship; testing, taking over or commissioning; operation service provisions in the Gold Book; defects liability; the contract price; variations, adjustments and payment; termination and suspension; allocation of specific risks; insurance obligations; force majeure (Silver Book) or exceptional risks (Gold Book); contractor's and employer's claims (including the sub-clause 20.1 time bar in Silver Book and the new provisions in the Gold) .

We also consider how the contracts provide for resolving disputes: the DAB process in both Books and the new provisions in the Gold; dispute avoidance, amicable settlement and arbitration, including the different arbitration institutions and how arbitration awards may be enforced. We look at practical points about claims, managing a dispute and reducing the risk of lengthy and expensive proceedings.

Throughout the 2 ½ days there will be ample opportunity to discuss and debate the material covered aided by case studies and active participation will be encouraged.

About the speaker

The course will be led by William Godwin, a London-based practising barrister (lawyer) specialising in construction, engineering, energy and infrastructure projects. He has over twenty years' experience of international construction including FIDIC and is a regular speaker at the FIDIC international users' conferences. William has successfully conducted numerous training courses on the FIDIC forms and is accredited by FIDIC as an instructor. He also writes and speaks widely on construction and other law topics and in February 2013 Wiley-Blackwell published his latest work, *International Construction Contracts: a Handbook*, which includes a commentary on the FIDIC contractor-design forms.

William holds a doctorate from Oxford University and is a first class honours graduate of University College London. He is a visiting lecturer in law at London University and at City University London and an arbitration panel member of the China International Economic and Trade Arbitration Commission and the Dubai International Arbitration Centre. He is an approved adjudicator of the English Technology and Construction Bar Association.

Who should attend?

This course is aimed at providing systematic and practical guidance to anyone engaged in international projects with a design-build element. It will appeal to representatives of contractors, employers, developers, project sponsors and funders, insurers, plant and equipment manufacturers, engineers, project managers, lawyers and any others engaged in design-build and DBO projects with a cross-border element.

What will be provided?

All those attending and completing the course will be provided with a certificate verifying their participation in this FIDIC accredited event. The course fee also includes a copy of both the Gold and the Silver Book general conditions, a course book containing the PowerPoint presentation used and all refreshments and lunch on all three days.

Where will the course be held?

Our Dubai course will be held at the five star **Park Regis Kris Kin Hotel,**

Sheikh Khalifah Bin Zayed St. Opp Burjuman Centre Bur Dubai

P.O. Box 8264

Dubai , U.A.E.

Tel: [+971 4377 1111](tel:+97143771111) Mob: 056 170 7741

Fax: +971 4357 4477 Toll Free: 800 7171(GCC only)

Email: rswamy@parkregisdubai.com

Web: www.parkregiskriskin.com

Please contact the hotel directly for special sleeping room rates.

Programme

DAY ONE	DAY TWO	DAY THREE
09.00 - 09.30 Registration		
09.30-11.00 Overview of FIDIC and the FIDIC construction contracts <ul style="list-style-type: none"> • Outline of FIDIC and the FIDIC contracts. • The main current construction forms: Red, Yellow, Silver and Gold Books; the MDB harmonised edition • Latest developments 	09.00-11.00 <ul style="list-style-type: none"> • Unforeseeable difficulties/physical conditions; errors in Employer's Requirements; Contractor's Documents; securing performance • Clauses 6, 7 and 8: Staff and labour; Plant, Materials and Workmanship; commencement, delays and suspension; the contract programme; extensions of time and delay damages; Gold Book Contract Completion and Handback requirements 	9.00-11.00 Dispute resolution in the FIDIC contracts through DAB and Arbitration <ul style="list-style-type: none"> • Practical points about claims, managing disputes and reducing the risk of lengthy and expensive proceedings • The DAB process: what is a DAB and how does it work? Gold Book variants • What happens if the dispute is not finally resolved after a DAB? • Amicable settlement
11.00 - 11.30 Refreshments	11.00 - 11.30 Refreshments	11.00 - 11.30 Refreshments
11.30 – 13.00 The FIDIC Gold and Silver Books: principles and detail <ul style="list-style-type: none"> • EPC/turnkey projects and the Silver Book • Main distinguishing features of the Silver Book • The Gold Book: design-build/operate-maintain in a single contract • Aims and approach • Structure of the Gold and Silver Books 	11.30 – 13.00 <ul style="list-style-type: none"> • Clauses 9-12: Gold Book Design-Build period and Operation Service provisions; testing regime in Gold and Silver Books; • Employer's Taking Over (Silver) / Commissioning (Gold); responsibility for defects • Clauses 13 and 14: Variations, Adjustments and Payment in Gold and Silver Books including Gold Book asset replacement and maintenance retention provisions 	11.30 – 13.00 <ul style="list-style-type: none"> • Arbitration: what is arbitration? Why use arbitration? How is an arbitration conducted? • If you succeed in an arbitration how do you enforce your award? • Arbitration institutions and the FIDIC forms • Concluding discussion and presentation of certificates
13.00 - 14.00 Lunch	13.00 - 14.00 Lunch	
14.00 - 15.20 <ul style="list-style-type: none"> • Clauses 1-3: the General Provisions; law and language of the contract; the priority of documents; importance of the Particular Conditions (Gold Book: contract data and special provisions); co-ordinating the General with the Particular Conditions • Roles of Employer, Contractor and their Representatives in the Gold and Silver Books; principal documents; Employer's Requirements; Employer's claims (clause 20.2, Gold Book). 	14.00 - 15.20 <ul style="list-style-type: none"> • Clause 15: Termination by Employer; Contractor default; termination for convenience • Clause 16: Suspension and Termination by the Contractor • Clauses 17-19: Allocation of specific risks in Gold and Silver Books • Insurance obligations; Force Majeure (Silver)/Exceptional Risks (Gold) - meaning and effect 	
15.20 - 15.40 Refreshments	15.20 - 15.40 Refreshments	
15.40-17.00 <ul style="list-style-type: none"> • Clauses 4 and 5: Contractor's obligations; Design, execution, fitness for purpose in the Gold and Silver Books 	15.40-17.00 <ul style="list-style-type: none"> • Clause 20: Claims; sub-Clause 20.1 time bar in Silver/contrast with Gold; importance of contemporary records; notices 	

Booking Form

The FIDIC Gold and Silver Books: practical use of the Design-Build-Operate and EPC/Turnkey forms of contract

Dubai , 24-26 September 2013

Delegate details

First Delegate	Second Delegate
Title (Mr , Mrs, Ms Dr or other) and first name -----	Title (Mr , Mrs, Ms Dr or other)and first name -----
Surname/Family name -----	Surname/Family name -----
Company/Organisation -----	Company/Organisation -----
Job Title -----	Job Title -----
Any Special dietary requirements? -----	Any Special dietary requirements? -----
Email address -----	Email address -----

For third and subsequent delegates please provide the above details on a separate sheet.

Contact details

Please give details of the person in your organisation who will act as our point of contact with your organisation for this event. (Please note: Joining instructions and invoice will be sent to this contact unless otherwise specified)

Title (Mr , Mrs, Ms Dr or other) and first name

Company

Surname/Family name

Address

Job Title

Telephone

Email

Cost per delegate: £1150

If more than one delegate from your organisation, £1050 for the second and any subsequent delegate.

Number of delegates: _____ Total: _____

Payment method (see below): _____ Invoice my organisation ref: _____

How to register

You can register –

- By email to info@matrix-seminars.com providing the above booking information or the Booking Form
- By faxing the completed Booking Form to +44 (0) 203 390 0423
- By visiting www.matrix-seminars.com and following the instructions for on-line booking
- By phone on: +44 (0) 203 390 0421

Course Fee

The course fee is £1150 per delegate. If your organisation registers more than one delegate then the fee is reduced to £1050 for the second and subsequent delegates.

Fees are payable in full in advance and include the two and a half days' training, course materials, certificate of completion of the course, a copy of the FIDIC contracts discussed as well as all refreshments/lunch on each full day and refreshments on the third day.

We will provide receipts for each registered and paid place on the course.

Delegates are responsible for arranging their own travel, any necessary visas and hotel accommodation and these are not included in the fee. Special rates for sleeping rooms can be made by contacting the hotel directly:

Park Regis Kris Kin Hotel,

Tel: [+971 4377 1111](tel:+97143771111) Mob: 056 170 7741

Fax: +971 4357 4477 Toll Free: 800 7171(GCC only)

Email: rswamy@parkregisdubai.com

Web: www.parkregiskrskin.com

Payment Methods

Payment is due in full in advance and may be made by any of the following methods:

Bank transfer in GB pounds to the account shown below

By cheque, payable to Matrix Seminars Ltd in GB pounds drawn on a UK bank

Online, at www.matrix-seminars.com (see link under Events)

HSBC Bank

Sort Code: 40 06 29

A/c Number: 91846140

IBAN: GB28MIDL40062991846140

Swift Code: MIDLGB22

Branch Identifier Code: MIDLGB22

Beneficiary Name: Matrix Seminars Ltd

Cancellations and alterations

Cancellations by delegates must be made in writing at least 21 days in advance of the course and in that event a refund less 10% for administration costs will be made. It is regretted that after this date no refunds of fees will be made. Substitutions of delegates may be made at any time.

Matrix Seminars reserves the right to cancel the course because it is undersubscribed or for any other reason and in that event a full refund of fees paid will be made automatically. Such refund will be the full extent of Matrix Seminars' liability and it will not be responsible for any travel, accommodation or other costs or losses that might be incurred as a result of the cancellation.

Matrix Seminars reserves the right to change the speakers, timing or venue of the course if necessary.

Course Organisers

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