

FIDIC Training Program Module 2

Subject
DAY 1
<u>Session 1: Contracts</u> <ul style="list-style-type: none">▪ General Issues▪ Contracting strategy – Balanced Contracts▪ Law and the Contract
<u>Session 2: Management of claims</u> <ul style="list-style-type: none">▪ Claims Causes and Risk<ul style="list-style-type: none">– Inherent project risks– Allocation of risks under various FIDIC 1999 Contracts– Analysis of Contractual risk▪ Claims procedure<ul style="list-style-type: none">– Clauses require notice by the Contractor– Employer's claims– Delegation by the Engineer– Engineer's determination▪ Contractor's claims<ul style="list-style-type: none">– Notification of claims– Engineer's assessment– Contemporary records– Preparation of Claims– Global Claims– Disruption Claim
Close of the Day 1

Subject
DAY 2
<p>Session 3: The Resolution of Disputes</p> <ul style="list-style-type: none"> ▪ Understanding the Dispute Adjudication Boards <ul style="list-style-type: none"> – History of DBs – Engineer's decisions – DRBs – FIDIC DABs – Overview of Contract Provisions – Principles governing the Dispute Adjudication Board
<ul style="list-style-type: none"> ▪ Dispute avoidance vs Dispute resolution <ul style="list-style-type: none"> – General – FIDIC's approach to dispute avoidance – Disputes and their resolution ▪ Disputes <ul style="list-style-type: none"> – Definition of Dispute – Enforcement of DAB's decision – FIDIC - the GAP
<ul style="list-style-type: none"> ▪ Appointment of Standing Board and Ad-hoc Dispute Adjudication Board <ul style="list-style-type: none"> – The Course of the Referral – Notice of intention to refer – Timetable – Submissions of the Parties – Powers of the DAB ▪ Post DAB Decision <ul style="list-style-type: none"> – Amicable settlement – Arbitration
<ul style="list-style-type: none"> ▪ Alternative Dispute Resolution Methods <ul style="list-style-type: none"> – Mediation – Negotiation – Expert determination – Arbitration
Close of the Day 2