

PREPARING AND MANAGING FIDIC CONTRACTS

 **Dates and duration to be agreed**

 **Location to be agreed**

Contact us for a customised quote

OBJECTIVES

- Master the procedures for the preparation and management of FIDIC contracts.
- Understand all of the stages of performing FIDIC contracts.
- Gain knowledge of dispute prevention and management techniques.

THE + OF YOUR TRAINING

- The training course will be adapted to the specific context and client needs.

CONCERNED AUDIENCE

- Persons in charge of preparing invitations to tender and tender documents.
- Persons in charge of monitoring the performance of services, supply and works contracts.
- Authorising officers for expenditure for projects funded by donors.
- Legal advisers.
- Independent consultants and design offices.
- Project Managers.
- Engineers.

GOOD TO KNOW

During the training course, practical work and case studies will be used to illustrate FIDIC contracts. Participants are asked to bring along regulatory texts and contracts that they use in their work.

PEDAGOGICAL PROGRAMME

Module 1

Preparing contracts

- Introduction to FIDIC contracts.
- Key concepts of contract procurement.
- Contractual strategy and contract procurement procedures.
- Complying with constraints and requirements (regulatory approach, environment, safety, etc.).
- Selecting the contract procurement procedure:
 - the various FIDIC contracts;
 - which FIDIC contract for my project?
- the principles of contract negotiation and signature.



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Module 2

Contract management and the performance phase

- The various contractual documents.
- The general provisions.
- Organisation, role and responsibilities of the:
 - employer: formation and coordination of the project team;
 - engineer: nomination, appointment and procedures for the engineer;
 - contractor: preparation of the work's program and payment's procedure and control.
- Financial Bonds and guarantees, financial and procedural clauses.
- Risks analysis, insurance and "force majeure".



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Module 3

Price escalation management

- Adjustment for Changes in Cost
- Inflation and unforeseeable event or force majeure events
- Adjustment for Changes in legislation
- Inflation and hardship.



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Module 4

Dispute avoidance and management

- Avoiding disputes.
- Analysing and handling claims.
- Amicable settlement of disputes: admissibility, determination of claims.
- Various committees for the settlement of disputes.
- Constitution and appointing the Dispute Board, and its procedures.
- Arbitration proceedings (International Chamber of Commerce, OHADA, UNCITRAL etc.).
- Constituting the court and appointing the arbitrators.
- The "cost" of Dispute Boards and arbitration.



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 **Prerequisites :** Have held or currently hold a position related to the training theme