Advanced FIDIC Contracts and Claims Management Training Course



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4100 € (Per Person)

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Course Introduction / Overview:

In the global construction and engineering landscape, managing complex projects requires a robust contractual framework to ensure clarity, fairness, and efficiency. The International Federation of Consulting Engineers (FIDIC) provides the industry-standard suite of contracts used worldwide to mitigate risks and manage relationships between employers, consultants, and contractors. This comprehensive course offered by BIG BEN Training Center is meticulously designed to provide an in-depth understanding of the FIDIC Conditions of Contract, with a strong focus on practical claims management and dispute resolution. We will delve into the nuances of various FIDIC books, exploring the rights and obligations of all parties involved. Drawing upon the foundational principles discussed by leading experts like Dr. Nael G. Bunni in his seminal work, "The FIDIC Forms of Contract", this program moves beyond theory. Participants will learn to proactively manage contractual issues, prepare and defend claims with robust substantiation, and navigate the dispute resolution mechanisms embedded within the FIDIC framework. This training is essential for professionals seeking to master contract administration, minimize project disputes, and drive successful project outcomes from inception to completion.

Target Audience / This training course is suitable for:

- Project Managers and Directors.
- Contract Managers and Administrators.
- Commercial Managers.
- Quantity Surveyors.
- Construction and Civil Engineers.
- Procurement and Purchasing Professionals.
- Corporate Legal Counsel and Advisors.
- Dispute Resolution Practitioners.
- Government officials involved in public works projects.
- Consultants and Contractors.

Target Sectors and Industries:

- Construction and Infrastructure Development.
- Oil and Gas.
- Energy and Power Generation.
- Water and Utilities.
- Transportation including Rail and Highways.
- Real Estate and Property Development.
- Government Agencies and Public Works Authorities.
- International Development and Funding Agencies.

Target Organizations Departments:

- Project Management Office (PMO).
- Contracts and Commercial Departments.
- Legal and Compliance Departments.
- Procurement and Supply Chain Management.
- Engineering and Technical Services.
- Finance and Project Controls.
- Operations Management.
- Risk Management Departments.

Course Offerings:

By the end of this course, the participants will have able to:

- Interpret the key clauses and provisions of the main FIDIC forms of contract.
- Effectively manage contract administration throughout the project lifecycle.
- Identify claimable events and understand the strict procedures for submitting notices.
- Prepare and substantiate claims for Extension of Time (EOT) and additional costs.
- Analyze and respond to claims from the perspective of the Engineer or Employer.
- Navigate the multi-tiered dispute resolution process, including the Dispute Adjudication Board (DAB).
- Mitigate contractual risks and prevent disputes through proactive contract management.
- Understand the roles, responsibilities, and obligations of the Employer, Engineer, and Contractor.
- Apply best practices for record-keeping and documentation to support potential claims.
- Confidently manage variations, payment procedures, and project close-out under FIDIC terms.

Course Methodology:

The training methodology at BIG BEN Training Center is designed to be highly interactive, practical, and engaging, ensuring that participants can immediately apply their learning to real-world scenarios. We move beyond traditional lectures to create a dynamic learning environment that fosters deep understanding and skill development. The course is built around a series of expert-led presentations, detailed case studies drawn from actual construction projects, and hands-on workshops. Participants will work in groups to analyze complex contractual situations, prepare mock claims, and debate dispute resolution strategies. This collaborative approach encourages peer-to-peer learning and the sharing of diverse professional experiences. Interactive Q&A sessions are integrated throughout the program, allowing for direct engagement with the instructor to clarify complex concepts. Practical exercises, role-playing scenarios simulating contract negotiations and DAB hearings, and comprehensive feedback sessions are core components of our approach. This immersive methodology ensures that participants leave not just with knowledge of FIDIC contracts, but with the confidence and competence to manage them effectively.

Course Agenda (Course Units):

Unit One: Fundamentals of FIDIC Contracts

- Introduction to FIDIC and its role in the construction industry.
- Overview of the FIDIC Suite of Contracts (Red, Yellow, Silver, Green Books).
- Key differences between the 1999 and 2017 editions.
- The roles and responsibilities of the Employer, the Engineer, and the Contractor.
- Understanding the overall structure and flow-down of obligations.
- General provisions and principles of contract interpretation.
- Communications, notices, and the importance of record-keeping.

Unit Two: Contract Administration and Management

- Commencement, delays, and suspension of works.
- Programme of works and critical path analysis.
- Payment procedures, interim payments, and final accounts.
- Managing variations and adjustments.
- Tests on and after completion and the Taking-Over Certificate.
- Defects Notification Period and the Performance Certificate.
- Risk allocation and liability under different FIDIC forms.

Unit Three: Understanding and Preparing Claims

- What constitutes a claim under FIDIC contracts?
- Identifying claimable events and grounds for claims.
- The critical importance of notices and time bars (Clause 20).
- Contractor's claims for Extension of Time (EOT).
- Contractor's claims for additional payment and cost.
- Employer's claims against the Contractor.
- Assembling the necessary documentation and substantiation for a claim.

Unit Four: Claim Analysis and Dispute Resolution

- The Engineer's role in determining claims.
- Principles of delay analysis for EOT claims.
- Quantum analysis and assessment of costs.
- Understanding concurrent delays and their implications.
- The multi-tiered dispute resolution process.
- The role and function of the Dispute Adjudication Board (DAB).
- Enforcement of DAB decisions and moving to arbitration.

Unit Five: Advanced Topics and Practical Application

- Termination by the Employer and the Contractor.
- Risk, liability, and indemnity clauses.
- Force Majeure and Exceptional Events.
- Insurance requirements under FIDIC contracts.
- Case studies workshop: Analyzing complex claim scenarios from start to finish.
- Best practices for dispute avoidance and proactive contract management.
- Final review and open forum for participant questions.

FAQ:

Qualifications required for registering to this course?

There are no requirements.

How long is each daily session, and what is the total number of training hours for the course?

This training course spans five days, with daily sessions ranging between 4 to 5 hours, including breaks and interactive activities, bringing the total duration to 20 - 25 training hours.

Something to think about:

Considering the increasing complexity of global projects, how might the principles of good faith and fair dealing influence the interpretation of FIDIC's strict notice provisions in future dispute resolutions?

What unique qualities does this course offer compared to other courses?

This training course distinguishes itself by focusing intensely on the practical application of FIDIC principles in real-world project environments. While many courses cover the theoretical aspects of the contract clauses, our program is structured around a "from the ground up" approach, simulating the challenges project and contract managers face daily. We utilize a rich library of case studies derived from actual international projects, allowing participants to dissect complex scenarios involving delays, variations, and unforeseen ground conditions. This hands-on methodology ensures that learning is not just academic but immediately applicable. Furthermore, the curriculum is designed to provide a balanced perspective, examining claims and contract administration from the viewpoints of the Contractor, the Employer, and the Engineer. This 360-degree view equips participants with a more holistic understanding, enabling them to anticipate issues, negotiate more effectively, and foster more collaborative project relationships. The emphasis on interactive workshops and peer-to-peer problem-solving, rather than passive listening, creates a dynamic learning environment where complex knowledge is transformed into tangible skill.