

Nestor<sup>7</sup>

Nestor Bildungsinstitut GmbH



Federation of  
International  
Consulting Engineers

# FIDIC for PRACTITIONERS

## TRAINING COURSES

### Entitled

*“Module 2: CONTRACT Claims and Disputes under  
FIDIC 1999 and 2017”*

6<sup>th</sup> November - 7<sup>th</sup> November 2023

**RADISSON COLLECTION ROYAL HOTEL  
Hammerichsgade 1  
1611 Copenhagen**

Tutors:

**Siobhan Fahey,**

BA BAI (Hons) CEng Dipl. Arb FCI Arb MIEI MICE RCons EI  
Accredited Mediator (CI Arb)

**Dr. Götz-Sebastian Hök,**

Lawyer, Arbitrator, Adjudicator

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Visit web sites

[www.fidic.org/seminars](http://www.fidic.org/seminars)

[www.fidic-for-practitioners.com](http://www.fidic-for-practitioners.com)

# **“Project and Contract Management under 1999/2017 FIDIC Conditions of Contract (Construction/Design-Build)”**

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## **OVERVIEW**

The training course is designed to provide practical guidance to those who are involved in managing or administration of projects where use of FIDIC forms of contracts is required. This course covers FIDIC contract management, claim management and dispute management in more depth than module 1.

It is suitable for all the Parties involved with a new FIDIC Contract – the Employer, the Project Manager, the Contractor, the Engineer, and the DAB Members. By having a good understanding of the FIDIC risk allocation policy and the resulting responsibilities and rights of the Parties under a 1999/2017 FIDIC Contracts, a more efficient management of the project may be achieved. The tutors of the course are a very experienced German engineer, experienced Irish engineer and a German lawyer, who have had extensive worldwide involvement with management of projects and related dispute resolution.

## **SEMINAR TUTOR:**

The tutors are provided by Nestor Bildungsinstitut GmbH in collaboration with FIDIC. Nestor specializes in training and management in particular in the consultancy to international construction and infrastructure industries. The Nestor tutors have provided over 100 training courses worldwide in the last 2 years on the use of FIDIC documents and have been involved in the FIDIC updates 2017.

**Tutors:** Dipl.-Ing., Dipl.-Wirt-Ing. Axel-Volkmar Jaeger (past Chairman FIDIC Contracts Committee and past member of the FIDIC Executive Committee), Dr. Götz-Sebastian Hök (Lawyer, Arbitrator and FIDIC listed Adjudicator) and Siobhan Fahey (Contracts Committee Member, Task Group Chair) and Dipl.-Ing. Robert Werth.

## **COURSE MATERIALS**

All delegates will be provided the following materials, in English:

- FIDIC Conditions of Contract for Construction, 2<sup>nd</sup> Edition 2017
- FIDIC Conditions of Contract for Plant and Design-Build, 1<sup>st</sup> Edition 1999
- Course notes, especially written for using “Construction Contracts”
- Set of PowerPoint slides used during the seminar - to be used as a work book
- Work Exercises

## **WHO SHOULD ATTEND?**

The seminar provides the essential knowledge for professionals from Government Ministries, Departments and Agencies, Private Sector Employers, Consulting Engineers, Contractors, Sub-Contractors, Quantity Surveyors, Architects, Legal Advisers and all involved with the management of change under FIDIC Contracts 1999 and 2017 Edition. It is particularly important where FIDIC management procedures shall be implemented and in particular for those who deal with claims and Variations under FIDIC Contracts.

# **PROGRAMME**

## Contract, Claims and Dispute

<p><b><u>Day 1: 9. a.m. – 5.00 p.m.</u></b></p> <p><b><u>8.30-9.00 Registration, Coffee/ Tea in Foyer</u></b></p> <p><b><u>Session 1</u></b></p> <p><i>Think legally</i></p> <ul style="list-style-type: none"><li>• How to proceed in the event of a claim?</li><li>• How to proceed in order to avoid disputes?</li><li>• How to proceed in the event of a dispute?</li></ul> <p><b><u>Session 2</u></b></p> <p><i>Managing change: Variations</i></p> <ul style="list-style-type: none"><li>• Managing variations under FIDIC 1999 and 2017</li><li>• Variations</li><li>• Variations: FIDIC approach 1999 and 2017</li><li>• Variations</li></ul> <p><b><u>12.00 – 1.00 Lunch at Café Royal</u></b></p> <p><b><u>Session 3</u></b></p> <p><i>Claims: Causes and risk</i></p> <ul style="list-style-type: none"><li>• Basics: Contract Law in general</li><li>• Causes and risk</li></ul> <p><b><u>3.00 – 3.30 Coffee Break</u></b></p> <p><b><u>Session 4</u></b></p> <p><i>Contractor's and Employer's Claims</i></p> <ul style="list-style-type: none"><li>• Money Claims in general</li><li>• Cost Claims</li><li>• EOT Claims in general</li><li>• Preparation and Presentation of Claims</li><li>• Determination of Claims</li></ul> <p><b><u>Session 5</u></b></p> <p><i>Claims Procedures</i></p> <ul style="list-style-type: none"><li>• Claims Procedures in detail</li></ul> <p><b><u>Session 6</u></b></p> <p><i>Determinations</i></p> <ul style="list-style-type: none"><li>• Clause 3.5</li><li>• Case study</li></ul>	<p><b><u>Day 2: 9.00 a.m. – 5.00 p.m.</u></b></p> <p><b><u>8.30-9.00 Coffee/ Tea in Foyer</u></b></p> <p><b><u>Session 7</u></b></p> <p><i>Cost and EOT Claims (Preparation and presentation of Claims)</i></p> <ul style="list-style-type: none"><li>• Preparation and presentation of claims</li></ul> <p><b><u>Session 8</u></b></p> <p><i>Cost and EOT Claims Particulars</i></p> <ul style="list-style-type: none"><li>• Cost claims</li><li>• delay damages claims</li><li>• Case study</li></ul> <p><b><u>12.00 – 1.00 Lunch</u></b></p> <p><b><u>Session 9</u></b></p> <p><i>Disputes and appointment of DAB</i></p> <ul style="list-style-type: none"><li>• DAB Contract Fees</li><li>• Fees</li><li>• Structure</li><li>• Working schedule</li><li>• Termination and replacement</li></ul> <p><b><u>3.00 – 3.30 Coffee Break</u></b></p> <p><b><u>Session 10</u></b></p> <p><i>DAB's procedure, Principles</i></p> <p><b><u>Session 11</u></b></p> <p><i>DAB procedure (Dispute-Appointment-Referral)</i></p> <ul style="list-style-type: none"><li>• Dispute</li><li>• Appointment</li><li>• Referral</li></ul> <p><b><u>Session 12</u></b></p> <p><i>Arbitration</i></p> <p><b><u>Session 13</u></b></p> <p><i>Case study</i></p> <p><b><u>Session 14</u></b></p> <p><i>Claims under a guarantee</i></p>
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**Throughout the seminar there will be opportunities for questions  
(Seminar Fees include: Lunch, refreshment and course materials)**

Please complete the attached registration form.

## REGISTRATION FORM

### Modules

**Module 2: 6<sup>th</sup> November & 7<sup>th</sup> November 2023**

### Venue

Radisson Collection Royal Hotel  
Hammerichsgade 1  
1611 Copenhagen  
Denmark  
<https://www.radissonhotels.com/en-us/hotels/radisson-collection-copenhagen>

### Participant & Company details

First Name: .....  
Family Name: .....  
Job Title: .....  
Organization: .....  
Address: .....  
Telephone: .....  
Email: .....

### Participation Fee

- I confirm payment of € 1,500\* per delegate.**
- For 2 or more delegates from the same organization - € 1,300\* per delegate.**

\*plus VAT if any

EU resident:  yes  no  
if yes, VAT ID Number: .....

Our services are subject to Value-added-Tax-regulations in Germany and the EU. According to legal requirements the following regulations apply:

- Entrepreneurs/ Companies headquartered within the EU<sup>1</sup> (VAT-ID is strictly required!) will get a 'reverse-charge' invoice.
- Entrepreneurs/ Companies headquartered outside the EU<sup>1</sup> will get an invoice without VAT
- Entrepreneurs/ Companies headquartered in Germany will be invoiced plus 19 % VAT
- All other participants will be charged the local VAT (VAT of the venue)

<sup>1</sup> If the entrepreneurial capacity is not proven in case of b), no VAT-ID is stated or the VAT ID is not valid in case of a), the local VAT of the venue (see d) has to be invoiced and paid additionally!

### Payment

Certified Cheque or Bank Transfer payable to:

**Nestor Bildungsinstitut GmbH**  
**Alt Blankenburg 1a**  
**D - 13129 Berlin**  
**Berliner Volksbank eG**  
**Account No. 8301874015**  
**BIC/Swift: BEVODEBB**  
**IBAN: DE61 1009 0000 8301 8740 15**

Wire Transfers/ Deposits attract bank charges which are for your account.

Note: You will be invoiced for these charges should they be charged to Nestor's account.

### Cancellation

Cancellations by delegates must be made in writing and received **3 weeks** before the seminar. It is regretted that no refunds will be made or invoices cancelled after this date and the full registration fee will be payable. Substitutions may be made at any time.

Note: Should registration be conducted outside of cancellation period, registrant will be subject to established cancellation policy.

Cancellation by the organizers:

We reserve the right to cancel the event if it is under subscribed or for any reason. In the event of cancellation we will endeavor to give delegates two weeks notice and the fee will be refunded in full.

### Further information

Please note that the registration process is only complete when acknowledgement of receipt of registration form and proof of payment is received at least five days before the course.

Questions or queries should be directed to:

Tel: +49 (0)30 3000760-0

Fax: +49 (0)30 51303819

Email: [info@fidic-for-practitioners.com](mailto:info@fidic-for-practitioners.com)

### Deadline

All Registration forms to be submitted on or before:  
**23<sup>rd</sup> October 2023**

### Authorization

I have read and accept the above Terms and Conditions

Name: .....

Job Title: .....

Signature: .....

With your signature you accept these regulations as mandatory.