



**Association of Arbitrators
(Southern Africa) NPC**

in Partnership with

INDUNA
TRAINING SERVICES

FIDIC Contracts - A Practical Approach

25-26

October 2017

**Association of Arbitrators
(Southern Africa) NPC**

3rd Floor, Block B, Sandown House,
Norwich Close (off 5th Street),
Sandown, Johannesburg

An outstanding
INTERACTIVE
two-day
WORKSHOP
on FIDIC Contracts

08:00 - 16:30

BEE Level 4 Contributor

Accredited Training Provider – MERSETA

Central Supplier Database: MAAA0321383



INTERACTIVE WORKSHOP
facilitated by **Kevin Spence**

Pr Eng, BSc Eng (Civil)(Wits), MSAICE, FAARB, FIQ
Reg. Professional Engineer, Mediator,
Adjudicator and Arbitrator
Accredited FIDIC Trainer

In Partnership with



WHO SHOULD ATTEND

The course will benefit all built environment practitioners (engineers, quantity surveyors, lawyers, project managers, etc.) funding agents, such as Development Banks will also benefit enormously from the workshop.

COURSE OVERVIEW

This two day programme is based on the FIDIC Approved Module 1 Workshop and introduces the FIDIC Suite of Contracts.

It examines the roles of both the Employer and the Engineer and highlights the essential differences between the various contract documents.

The responsibility for design is dealt with and a substantial amount of time is devoted to the issue of extensions of time, variations and certification.

Dispute resolution under the FIDIC Contracts is highlighted and the issues of notices, claims and time bars are discussed in detail.

This practical course is supplemented by true life case studies and group discussions ensure that delegates come away with a good understanding of the FIDIC philosophy.

Kevin is a registered Professional Engineer, Mediator, Adjudicator and Arbitrator with over 40 years' experience in the Construction Industry. His experience spans across Freeway Construction, Airport Runway Rehabilitation, Dams and Water Retaining Structures, Pipelines, Civil and Building Construction, Concrete Structures, Asphalt and Concrete Road Surfacing and most recently Claims Preparation and Defence.

Throughout Kevin's professional career he has managed various business units of one of the largest construction companies in South Africa, owned a Road Surfacing Company which was later sold to a listed company before moving into dispute resolution and claims consulting.

Kevin completed the Fellowship of Arbitrators Qualification and currently specialises in large scale Construction Claims and Dispute Resolution. Over the last 10 years Kevin has been involved as Mediator, Adjudicator, Arbitrator and expert witness on approximately 60 dispute matters. He is presently appointed on Dispute Adjudication Boards (DAB) in South Africa and Africa in numerous matters. Kevin is an admitted member of the FIDIC President's List of Adjudicators.

Kevin is considered an expert on the FIDIC suite of contract documentation as well as the other three forms of contract prescribed by the CIDB. He facilitates regularly on all the four types of contract documentation both locally and internationally. He is the only FIDIC Accredited Trainer in South Africa.

REVIEWS

Kevin shows passion for his work especially on DABs, would be great to have Mr Spence as a mentor. ~ MD Contracts Consultant

Kevin was a true professional, an expert in the industry. ~ Raubex

Kevin Spence has been such an excellent facilitator and gives constructive trainings. ~ World Food Programme

REGISTER

Send your completed **Registration Form** to **Raquel**:
raquel@arbitrators.co.za | [T] 011 884 1964/5



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COURSE OUTLINE

DAY ONE

SESSION 1

Introduction and Overview

- Advantages of FIDIC Contracts
- Rules
- Reasonableness

SESSION 2

Signatories and Parties to the Contract

- Selecting the FIDIC Contract
- Signatories to the Contract
- Parties to the Contract

SESSION 3

Responsibilities of the Main Parties

- General Provisions
- Delayed Drawings or Instructions
- The Employer
- The Engineer
- The Contractor

SESSION 4

Responsibilities of the Main Parties

- Nominated Sub-contractors (Red Book)
- Design (Yellow Book)
- Evidence of Payments

SESSION 5

Management of Projects

- Staff and Labour
- Plant, Materials and Workmanship
- Commencement, Delay and Suspension
- Tests, defects and defects liability

DAY TWO

SESSION 6

Financial Procedures

- Clause 12 [Measurement and Evaluation]
- Clause 13 [Variations and Adjustments]
- Clause 14 [Contract Price and Payment]

SESSION 7

Suspension and Termination

- Employer's right to terminate the contract
- Contractor's right to suspend or terminate the contract

SESSION 8

Risk, Liability and Force Majeure

- Risk
- Liability
- Force Majeure

SESSION 9

Claims, Disputes and Arbitration

- Claims
- Disputes
- Arbitration

COURSE INCLUDES

- * A copy of the **FIDIC RED BOOK** (valued at R800);
- * Anticipated **changes** to the **FIDIC Red** and **Yellow BOOKS**;
- * Post course questionnaire;
- * Post workshop FIDIC Accredited Assessments;
- * Case studies for the year;
- * Access to an Accredited FIDIC Trainer and dispute resolution expert.

**CPD
CREDITS**

ASAQS Accreditation: CPD 2017/024



CPD ACCREDITATION
Accredited by Consulting Engineers of South Africa
for 2 CPD credits.
Validation no. Cesa-520/04/2017



COURSE COST (incl. VAT)

R6 838.86 for non-members | **R6 268.86** for members