Seminar on FIDIC and EDF
19-20 July 2012, Crossroads Hotel Lilongwe, Malawi

A comprehensive two day seminar and workshop on the FIDIC suite of contracts with comment on the EDF form of contract.
This seminar follows on from AME’s highly successful seminar in Nairobi in March this year which attracted over 70 attendees from 12 different countries. It has been developed to provide increased workshops and interaction.

The FIDIC suite of contracts is widely used throughout the world and it is essential for those that need to understand and work with these contracts to take the time necessary to get to grips with their philosophy and mechanics. The seminar will benefit employers, contractors, consulting engineers mining companies, power producers, funding agencies and other representatives from the legal and construction and engineering professions.

The seminar and workshop will be led by highly experienced international construction and engineering lawyer, Simon Delves, alongside Malcolm Kelly who is on the FIDIC DAB panel and highly active on DAB’s, particularly in Africa, and Keso Msita, Chief Executive of the National Construction Council, Tanzania. Malcolm will provide the benefit of his vast experience and the perspective of the contract administrator and a DAB member/chairman. Keso’s extensive experience in the region where he regularly sits as DAB member and arbitrator will be of special value. Amyn Mussa of Anjarwalla & Khanna Advocates Nairobi will provide an insight into risk profiles on African infrastructure projects.

Candidates will receive full copies of seminar documentation, FIDIC Red, Yellow and Silver Books and an accreditation certificate.
# Programme – Lilongwe, Malawi – 19–20 July 2012

### Day 1

<table>
<thead>
<tr>
<th>Time</th>
<th>Session</th>
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<tbody>
<tr>
<td>08.30</td>
<td>Registration and coffee</td>
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<tr>
<td>09:00</td>
<td>Welcome and Introduction</td>
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<td>09:10</td>
<td>Key Note Address</td>
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| 9.40  | FIDIC and FIDIC Contracts – Rainbow Suite  
What are they for and when should they be used?  
- Conditions of Contract for Construction (Red Book)  
- Conditions of Contract for Plant – Design – Build (Yellow Book)  
- Conditions of Contract for EPC/Turnkey Projects (Silver Book)  
- MDB Harmonised Edition (Pink)  
- Others |
| 10:30 | Refreshment Break |
| 10:50 | Contract Administration – the Employer and the Engineer/ER  
- Who can be the Engineer/Employer’s Representative?  
- The role and function of the Engineer  
- Assistants and delegation  
- Instructions  
- Sub-Clause 3.5 – determination  
- Sub-Clause 2.5 Employer’s claims  
- Sub-Clause 20.1 – Contractor’s claims  
- Constraints and restrictions |
| 11:20 | The Site  
- Access and Possession  
- Security  
- Adverse Physical Conditions  
- Safety |
| 11:35 | The Contractor’s Obligations  
- Construction  
- Design  
- The Employer’s obligations in respect of design |
| 12.20 | Variations  
- What is a Variation?  
- Who can order Variations?  
- Right to vary and limit to scope of Variations  
- Procedure  
- Valuation |
| 12:35 | Questions |
| 12:45 | Lunch |
| 14:00 | Workshop 1 – Variations |
| 15:00 | Payment  
- Remeasurement contracts  
- Contract Price and Adjustments  
- Changes in legislation  
- Adjustment for changes in Cost  
- Dayworks  
- Advance Payments  
- Interim Payment Procedures  
- Retention  
- Final Payment  
- Delayed payment |
| 16:00 | Refreshments |
| 16:20 | Risks, Responsibilities, Liabilities and Insurance |
| 17:05 | Questions |
## Day 2

### 09:00
**Completion of Works**
- Commencement Date
- Time for Completion
- Sectional Completion
- Tests
- Taking over of whole/part of works

**Mini Workshop 5 – Taking over**

### 09:45
**Programme and Reporting**
- Contents of Programme
- Status of Programme
- Updating
- Progress
- Reporting Obligations

**Mini Workshop 6 – Failure to provide records**

### 10:30
**Refreshments**

### 10:50
**Employer’s Claims/Remedies**
- Withholding and Set-off
- Defects in Performance
- Delay – Liquidated Damages
- Performance security
- Suspension
- Termination

**Mini Workshop 7 – Employer’s claims**

### 11:30
**Contractor’s Claims/Remedies**
- Extensions of time
- Prolongation
- Disruption
- Force majeure
- Suspension
- Termination

**Mini Workshop 8 – Suspension**

### 12:45
**Questions**

### 13:00
**Lunch**

### 14:00
**Workshop 2 – Contractor’s claims**

### 15:00
**Dispute Resolution 1**
- Dispute Boards
- Amicable Settlement
- Arbitration

**Mini Workshop 9**

### 15:30
**Refreshments**

### 15:50
**EDF form of contact** – some important observations/Dispute Resolution 2

### 16:50
**Workshop 3 – Termination**

### 17:20
**Questions, Round Up and Summary**

### 17:30
**Close**
Please complete the booking form and post to
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The cost per delegate is $650 and then $450 for subsequent delegates from the same organisation.

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The fee for attending a seminar is $650, which is reduced to $450 for second and subsequent delegates from the same organization. Full payment is required to confirm your delegate place.

The delegate fee includes tuition, written documentation, refreshments, lunch on both days and a copy of the FIDIC Red, Yellow and Silver Books. Overnight accommodation, travel and visas are not included in the delegate fee.

Bookings can be made online, by post or by fax. Delegate fees are to be paid by bank transfer, cheque or credit or debit card, the latter during the online booking process. Cheques to be payable to AME Seminars Limited and posted to our office address.

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