



**LIVE STREAM**

**FIDIC CONTRACTS 2017 - A PRACTICAL APPROACH**

**2-4**

**February 2021**

An outstanding  
INTERACTIVE  
**three-day**  
VIRTUAL WORKSHOP  
on FIDIC Contracts  
**8:30am - 13:30pm**

Validation Number  
CESA-1610-06/2022

**BEE Level 4 Contributor**  
Central Supplier Database:  
MAAA0321383



**INTERACTIVE WORKSHOP**  
facilitated by **Kevin Spence**

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

**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**

It has been 18 years since the last release of the FIDIC Rainbow Suite. After many years of interaction with industry, the consulting profession and affected stakeholders, FIDIC formally announced the release of the new 2017 versions of the RED, Yellow and Silver Book contracts. Significant changes have been made to the 2017 additions adding to the already complex construction contract documents.

The contract document has essentially doubled in size, highlighting comprehensive and detailed rules under construction contracts, as well as make them more user friendly

Based on this much has changed within the new contract, specifically within the role of the Engineer, quality management, advanced warning and specifically the claims procedure.

The course will give a high-level overview of the changes after-which the course will go through the new Clauses in detail.

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.

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 numerous matters. He is presently appointed on Dispute Boards (DB's) in South, Central and West Africa. Kevin is an admitted member of the FIDIC President's List of Adjudicators.

He is considered an expert on the FIDIC suite of contract documentation. 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**

[www.indunatraining.co.za](http://www.indunatraining.co.za) OR [info@indunatraining.co.za](mailto:info@indunatraining.co.za)





## COURSE OUTLINE

### DAY 1

#### Session 1

##### Introduction and Overview

- Advantages of FIDIC Contracts
- Rules
- Reasonableness
- The FIDIC Golden Principles
- Overview of the changes: Sources and philosophies to the updates
- Major comparisons between the 1999 and 2017 Editions

#### 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

### DAY 2

#### Session 4

##### Responsibilities of the main parties

- Subcontracting
- 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 Taking-Over

#### Session 6

##### Financial Procedures

- Measurement and Evaluation
- Variations and Adjustments
- Contract Price and Payment

### DAY 3

#### Session 7

##### Suspension and Termination

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

#### Session 8

##### Care of the Works

- Indemnities
- Exceptional events
- Insurance
- COVID-19

#### Session 9

##### Claims, Disputes and Arbitration

- Contractors Claims
- Employers Claims
- Agreement or deviation
- Disputes
- Establishment of a DAAB
- Procedures of a DAAB
- Amicable Settlement Procedures
- Arbitration Procedures

#### COURSE INCLUDES

- \* Soft copy of presentation
- \* Soft copy of accompanying documentation
- \* Hard of training material
- \* Copy of original FIDIC Red or Yellow Book
- \* FIDIC Accredited Trainer
- \* CPD Accredited Certificate

COURSE COST

**R6,999** EXCL. VAT | **US\$400**

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<b>COURSE</b>	<b>FIDIC CONTRACTS 2017 - A PRACTICAL APPROACH</b>
<b>DATE</b>	<b>2-4 February 2021</b>
<b>ONLINE</b>	<b>LIVE STREAM</b>

### ❖ PERSONAL DETAILS

Title \_\_\_\_\_  
Surname \_\_\_\_\_  
Name \_\_\_\_\_  
Cellular \_\_\_\_\_  
E-mail \_\_\_\_\_

### ❖ COMPANY DETAILS

Company Name \_\_\_\_\_  
VAT Number \_\_\_\_\_  
Postal Address \_\_\_\_\_  
Physical Address \_\_\_\_\_

### ❖ INVOICED ISSUED TO:

Company Name \_\_\_\_\_  
Participant \_\_\_\_\_

### DECLARATION

I, \_\_\_\_\_ (Name/Surname)  
have read and accept the TERMS & CONDITIONS as stipulated in this  
REGISTRATION form.

**SIGNATURE**

**DATE**

### TERMS & CONDITIONS

#### REGISTRATION

- Participants may register by e-mail with payments by EFT.
- Please complete and send this form to: [info@indunatraining.co.za](mailto:info@indunatraining.co.za)  
Closing date for the REGISTRATION and PAYMENT is 2 days before the course begins.

#### COURSE COST

Registration FEE per participant

- ZAR 6,999** EXCL VAT  
 **US\$ 400**

#### PAYMENT DETAILS

- **EFT**  
INDUNA CONSULTING (PTY) LTD  
NEDBANK - IRENE  
BRANCH CODE: 198765  
ACC NO.: 1075 331 765  
**SWIFT: NEDSZAJJ**

#### CANCELLATION & TRANSFERS

- Cancellations by delegates must be in writing and received 1 week before the course begins.
- It is regretted that no refunds will be made or invoices cancelled after the 1-week period.
- Substitutions may be made at any time
- We reserve the right to cancel the event if it is under subscribed or for any other reason.
- In the event of cancellation, we will endeavour to give delegates 2 weeks' notice and payments received will be refunded in full.
- INDUNA CONSULTING cannot be held liable for any pre-booked travel or accommodation costs.