



Fédération Internationale des Ingénieurs-Conseils
International Federation of Consulting Engineers
Internationale Vereinigung Beratender Ingenieure
Federación Internacional de Ingenieros Consultores

GAM 2007 Draft Agenda

12 June, 2007

1.11 PGB/ec

MA 06/07

TO FIDIC MEMBER ASSOCIATIONS

Ladies and Gentlemen,

Please find accompanying this letter the [preliminary agenda](#) for the 2007 General Assembly Meeting (GAM). If you wish to add any items to the agenda, or make an amendment to an item, please send your proposal, in the language necessary for inclusion on the agenda, with the names of the proposer and the seconder (with their respective Member Association names), in sufficient time so that it is **received** at the FIDIC Secretariat by August 13, 2007 (30 days before the 2007 GAM).

Thank you for your assistance in circulating copies of this preliminary agenda to all appropriate persons in your Member Association.

Please note that voting papers for election to the FIDIC Executive Committee at the GAM 2007 are not being distributed as there will be no election. This is because there have been three nominations for the three vacancies to the Executive Committee that will be required to be filled at the GAM.

However, each nominee's biographical note and statement is attached. This is to help satisfy the "no objection" requirement whereby under By-Law IV(6): "If the number of persons nominated does not exceed the number of vacancies to be filled, then they shall be deemed to be elected automatically, unless an objection to the election of any candidate is made by a Member Association not less than one month before a General Assembly Meeting. In the event of an objection, the Member Association making the objection shall propose an appropriate resolution at the General Assembly Meeting. If necessary, the matter shall be put to a vote to be decided by a simple majority of all those present and qualified to vote."

This letter is available on FIDIC Internal in the D & S document library at:

[www.fidic.ch/Internal/Assoc/Documents/MA Letters/2007/06_gam07_agenda.pdf](http://www.fidic.ch/Internal/Assoc/Documents/MA%20Letters/2007/06_gam07_agenda.pdf)

with the usual D & S logon (username = dns07 and password = dns07).

With best regards,

A handwritten signature in black ink, appearing to read 'Enrico Vink'.

Enrico Vink
FIDIC Managing Director

FIDIC SECRETARIAT

PO Box 311
1215 Geneva 15, Switzerland
Tel: +41 (22) 799 49 00 Fax: +41 (22) 799 49 01
E-mail: fidic@fidic.org www.fidic.org

Available in the Internal D&S Documents MA Letters area at
<http://www.fidic.ch/internal/assoc/>



SUPPLEMENT TO EXECUTIVE COMMITTEE ANNOUNCEMENT FIDIC GENERAL ASSEMBLY MEETING 2007



Patrick BATUMBYA, *Uganda*

Patrick Batumbya became Managing Director and Principal Engineer of MBW Consulting Engineers, Kampala, Uganda, in 1996, having joined Bridger and Harris Consulting Engineers as a Pupil Engineer in 1972, and working successively as a Structural Engineer, Principal Engineer, Chief Engineer and Senior Partner with the National Housing and Construction Corp., Uganda, and with three other consulting engineering firms. Patrick has a BSc(Hons) in Engineering from Nairobi University, is registered with the Uganda Registration Board and was elected a Fellow of the Uganda Institution of Professional Engineers. He served as the UACE-Uganda Chairman in 2002-3, and as the Chairman of the FIDIC Group of African Member Associations in 2004-7. He has undertaken regular assignments for many international agencies, including the World Bank.



Pablo BUENO TOMÁS, *Spain*

Pablo Bueno Tomás has been the Chief Executive Officer of TYPESA Group since 2003. He graduated with a MSc in civil engineering from the Technical University of Madrid in 1988, and undertook an Advanced Management Programme at IESE, Madrid, in 2002. He has worked with Tyspa since 1987, initially as an engineer and becoming Managing Director for Spain before taking up his present position. Pablo has participated as a project manager in the design and supervision of numerous infrastructure projects, both nationally and internationally. He is a chartered Civil Engineer, a Board Member of the Spanish Tunnelling Association, an Executive Committee member of the Spanish association TECNIBERIA and Vice-President of the European Federation of Engineering Consultancy Associations. He has contributed extensively to translations and training involving FIDIC contracts.



Adam THORNTON, *New Zealand*

Adam Thornton became Managing Director of Dunning Thornton Consultants, which he helped established, in 1986. He received a BE(Hons) in Civil Engineering from Canterbury University, New Zealand, and joined Morrison Cooper and Partners in 1974 as a design engineer before taking more senior design engineering positions with Bruce-Smith Chapman and Amos, and with Holmes Wood Poole and Johnson. Alan is a Fellow of the Institution of Professional Engineers, New Zealand, a Chartered Professional Engineer and a Member of the International Professional Engineering Register. He has served on the FIDIC ASPAC Executive Committee and currently serves on the FIDIC Business Practice Committee, the FIDIC Risk and Liability Committee, and the Definitions of Scope Task Force

BRIEF NOTES ON “THE NOMINEES OWN VIEWS ON SOME SUBJECTS OF IMPORTANCE TO THE CONSULTING ENGINEERING INDUSTRY”

Patrick BATUMBYA, *UACE, Uganda*

The Energy Crisis: challenges and opportunities for the consulting engineering industry

Introduction

Issues of energy today easily set the stage for debate in any sustainability related agenda, internationally or locally. Plenty of written material abounds on the topic, and so the author will not delve into the wider international strategic cum security aspects of energy. Suffice to say, internationally or regionally, wars are being planned or propagated around energy related events, as much as peace and cooperation is being sought amongst nations and power blocks to ensure access to energy today and in the future. Populations in Africa and Asia are growing very rapidly, with exponentially increasing demand on energy resources; however, the sources are dwindling, leading to the need for very far reaching measures to avert an energy crisis. P.C. Sinha in his book *The Energy Crisis* indicates that the transport sector consumes a large part of energy and in the process emits greenhouse gases and other trans-boundary air pollutants. Thus, there is urgent need for shifting transport from less efficient and more polluting modes to mass transit and railway systems, particularly in urban settings. Is this a challenge or an opportunity alone for the consulting engineer?

The status quo

Worldwide, the consulting engineer industry is now facing a challenge from a consuming market which is in dire need of using the currently available energy supplies more efficiently by reducing energy waste. Heating, cooling and lighting commercial and residential buildings all consume tremendous amounts of energy, a significant amount of which is lost in inefficient and/or obsolete appliances. The United States records that 30% of its total energy is dedicated to heating, lighting and cooling. On the other hand, Uganda uses 60% of its total hydro-electric power as energy dedicated to the same purposes, leaving only 40% for consumption by industry. Unfortunately, Uganda's industries pay the bigger bulk of the charges for power consumption at 60% of the total cost of the power bills compared to the 40% paid for the domestic consumption. I believe the rest of Africa south of the Sahara and north of the Zambezi fall in the same category as Uganda.

The consulting engineer's role

As a structural engineer, my direct involvement with energy arises when I have to make designs for infrastructure. Structural engineers design the structures and make specifications for the materials for incorporation into the works; beyond that, we have little knowledge of how the finished product produces or consumes energy. But structural engineers work with a host of other specialists to realize a project. For example, the concepts of majority of the amazing works of building art are developed by architects; the ambience is the product of both the engineer and the interior designers. However, the allocation of responsibility for any adverse impacts on the social and physical environment remains a moot question. In my view, it remains a split responsibility amongst the three

parties namely, the design team, the developer and the public authority responsible for granting approval.

Sustainability and efficient energy use or elimination of energy waste has, in my view, come to the forefront amongst the trends impacting on the consulting industry today and in the future. The consulting engineer will thus have to intensify working “outside the box” in order to develop energy efficient design solutions, to support public authorities in shifting their focus to energy efficiency, and to enable the developer/financier to appreciate and pay for the necessary innovation.

FIDIC's role

FIDIC will increasingly have to play a key role in developing templates for energy-efficient engineering designs and specifications. The current forms of contracts may have to be revised to reflect both sustainability and the energy focus as well as allocate responsibility / liability to the parties appropriately. To effectively participate in this international agenda, FIDIC may have to create a committee whose mandate is to develop and pre-test the material as well as promote standards for energy efficient designs.

Pablo BUENO TOMÁS, TECNIBERIA/ASINCE, Spain

The consulting engineering industry: future trends and approaches

In today's global business environment there is a particular concern for maintaining and improving an excellence level of engineering and consulting services. This challenge requires a generalised awareness by public administrations and private investors of the importance of hiring engineering consulting services to ensure the quality of infrastructure projects, and most importantly, it involves awarding contracts based on the quality of the firms and their proposals rather than on economic criteria.

Engineering firms should play a key role during the conception, planning, design, construction, operation and maintenance of infrastructure projects. Unfortunately this is not the case in many markets where the engineer is kept aside and is not sufficiently considered. The role of the engineer as described and proposed in the *FIDIC Conditions of Contract for Construction* (1999 and MDB Harmonised Editions) and in other FIDIC publications should be promoted worldwide. These documents should always be kept up to date and in accordance with the reality of the market.

There are new opportunities for consulting engineering firms in the field of operation and maintenance of infrastructure and Public-Private-Partnerships for which FIDIC should be a worldwide reference and provide guidelines.

On the other hand, the recent trend of providing development aid through budget support to the detriment of funding specific projects has had an important impact on the international engineering market. The balance of this policy will have to be analysed to extract the real consequences to our industry in relation to issues such as integrity, sustainability and capacity building. In addition, the increasing competition from NGOs and other not-for-profit organisations in the implementation of engineering projects in developing countries is another important challenge to be considered.

In this scenario, the consulting engineering industry has the challenge of pursuing International best practice while being able to think globally and act locally.

In terms of regional exposure, there is a clear strategic interest for FIDIC in Latin American countries. FIDIC needs to be better known in the region's engineering consulting sector since there are important project opportunities that require a solid framework in order to be undertaken successfully.

Adam Thornton, ACENZ, New Zealand

I briefly discuss my views and observations on current and future issues facing FIDIC and the consulting industry at large, in no particular order.

QBS

I am a firm believer in the principle of Quality/Qualification Based Selection and have spent many hours extolling the principles of "economy through design" not "economy of design". For QBS to work well there needs to exist an educated (and some would say regulated) client, well trained and objective assessors, and consultants who are well armed with tools to enable them to express the 'quality' that they bring to a project. The DOSTF [Definition of Scope Task Force] guide that I am chairing will provide a further tool for consultants who need to differentiate themselves from those who would offer reduced services and cut fees.

It does need to be recognized however that in some "less developed" parts of the world, consultants who have lower cost structures, relish the opportunity to compete on a cost basis with those from more affluent societies. In an era of increased globalization and knowledge transfer this is an issue that FIDIC needs to monitor and give guidance on where appropriate. The same QBS philosophy (as promoted by FIDIC) can and should be applied everywhere, even in developing economies i.e. higher prices are also good for low cost countries. The issue is one of relativity and of understanding the levels of expertise and quality that are available, so that appropriate comparisons can be made.

Conditions of Engagement, Liability and Insurance

Preserving a fair and level playing field for the engineering consultant is a monotonously ongoing issue that I get quite passionate about. Our experience in New Zealand, where consultants are generally well informed about the perils of inequitable conditions of engagement, is that we find that we need to be ever vigilant against those who would seek to place us in a position that is not defensible. While many central and local government departments have quite reasonable procurement policies we find, all too often, that changes in personnel at a local level can readily result in more onerous conditions being inserted into previously agreed standard conditions of engagement. In the private sector also we are frequently presented with onerous conditions resulting from uninformed legal advice.

These issues, by their very nature, will always be with us and for that reason FIDIC endorsed, frequently updated risk management guides for consultants and clients would be a welcome addition to FIDIC documentation.

Sustainability Management

Project Sustainability Management (PSM) and Environmentally Sustainable Design (ESD) are hot topics and increasingly are considerations in almost all projects. In my view PSM/ESD should be a “given” (i.e., should be standard), not an “add-on”.

Unquestionably, engineers have been responsible more than perhaps any other profession for the high “quality of life” that is enjoyed in the “developed world”. In retrospect some of those quality of life improvements have been detrimental to the environment and have not been sustainable.

While the various PSM/ESD guidelines (Greenstar ratings and the like) are undoubtedly a positive step, in reality they are about relative sustainability and energy use reduction rather than zero use of non-renewable resources. Engineers may have to tread a delicate path between maintaining the quality of life and the views of fundamentalists who would argue for absolute “zero growth” sustainability. FIDIC and engineers at large will need to be astute to monitor society's changing expectations.

Globalization

It may be argued that Globalization is a vastly overused word yet there is little doubt that we do live in a world which is more and more integrated economically through international trade, financial flows, and direct investment across borders. FIDIC recognized this early and has promoted the benefits of international alliances and the growth of the multi-national engineering consultancies. I have no doubt that this was a positive move, and necessary, in order to provide services to multinational clients and funders and to provide competition to the legal/accounting fraternity who seek to displace engineers from key “trusted advisor” roles. However I also believe that it vitally important for FIDIC to remain relevant, and to promote itself to the local and smaller niche consultant practices who compete successfully in their own markets all around the world. Frequently these consultancies exhibit great innovation and entrepreneurship, just the attributes that FIDIC promotes.

Image of the consulting engineer

Since the beginning of my working life I have witnessed engineers bemoaning the fact that society does not recognize the important role that we play and do not hold us in sufficiently high regard. (Interestingly, all other professions have similar complaints!) How often have we heard, even at FIDIC conferences, that engineers' fees are too low because clients and project managers view us just as a commodity, interchangeable with many others!

I firmly believe that the answer to this lies only with ourselves and that the “flipside” to public image is self esteem and pride in what we do; that is self respect. There is a strong link with Professionalism and Integrity Management with this issue. If we take great pride in our work, act ethically at all times, with a duty of care to society at large and insist on providing a complete service for fair recompense, then those who work with us can only hold us in respect.

Professional Leadership

This is an issue about which I feel quite strongly and is certainly one of the reasons why I am standing for the FIDIC EC. Public exhibition of real professionalism is vital in all the

issues I have mentioned above. Many engineers become leaders because of their intellectual or organizational prowess; however too frequently their leadership is "constrained" within the commercial organizations in which they work.

Professionalism, with a capital "P" is vital to our consulting industry. Identifying, maintaining and promoting the role of the Consultant, establishing commercial criteria, promoting work within ethical guidelines, taking part in debate and advancing the business of selling our services are issues which unfortunately are too often left to too few.

FIDIC clearly has to (and successfully has done) differentiate itself from the technical Engineering Professions (concerned with technical standards, qualifications, learned society etc); FIDIC is about the business of engineering, contracts, procurement, commercial risk and profit. However in my mind the business of consulting engineering very much requires professional behaviour, and is effectively a second Profession. Leadership in this area is vital for engineers and is obviously the essence of FIDIC.

FIDIC Regional Groups - ASPAC

I have had both business and personal involvement in Asia for much of my life and maintain a keen interest in the region. I have been a member of the ASPAC Executive Committee since 2002, soon after presenting a paper at the joint FIDIC-ASPAC-TCDPAP-CNACE conference at the Three Gorges in October 2001. ASPAC does not have a common regulatory framework to work within (like the European Federation of Engineering Consultancy Associations, EFCA, does) and so has not had a lot of issues that have required us to work together. However, many of the countries have close economic, trade and cultural ties and if nothing else, ASPAC is a group of close friends. Many of the Asian members also have links through TCDPAP which has much in common with FIDIC's aims for capacity building around the globe. I believe ASPAC is a useful sub-grouping within FIDIC and that it will become more relevant as the economic influence of the Asia/Pacific region grows.
