

To: Mr Izhak Stern
Fax: 0097235611087
Company: I Stern YDE Engineers

From: Marianne Mounir
Fax: +44 (0) 20 7017 5090
Date: 14th September 2009

Dear Mr Stern,

Learn best practices for using the FIDIC suite of contracts at this annual event from FIDIC for FIDIC users. The conference will provide the **first opportunity to meet with the new members of the contract committee** and **hear first-hand how they envisage the FIDIC suite of contracts** will be updated and the impact these changes will have on your day-to-day work.

FIDIC and IBC Legal present the 22nd annual

FIDIC International Contract Users' Conference

2nd & 3rd December 2009 - Grand Connaught Rooms, London – ***New, bigger and better venue!***

Your esteemed chairmen:

- **Geoff French**, *Group Chairman*, **Scott Wilson**; *Member*, **FIDIC Executive Committee** (UK)
- **Phillip Jenkinson**, *Principal Consultant, Transport Planning & Management*, **Atkins**; *Chair*, **FIDIC Contracts Committee** (UK)

Your expert speaker faculty:

- **Aisha Nadar**, *Member*, **FIDIC Updates Task Group** (UK)
- **Zoltán Záhonyi**, *Member*, **FIDIC Updates Task Group** (Hungary)
- **Svend Poulsen**, *Project Director*, **Atkins**; *Chair*, **FIDIC Updates Task Group** (Denmark)
- **Nael Bunni**, *Chartered Engineer; Chartered Arbitrator; Special Adviser*, **FIDIC Contracts Committee**; *Leader*, **FIDIC Subcontract Task Group**; *FIDIC Adjudicator* (Ireland)
- **Isolino Gomes**, *Contractual Management Coordinator*, **Mota-Engil** (Poland)
- **Siobhan Fahey**, *Member*, **FIDIC Subcontract Task Group** (Ireland)
- **Brian Totterdill**, *ECV; FIDIC Adjudicator* (UK)
- **Axel Jaeger**, *Former-Chair*, **FIDIC Contracts Committee**; *FIDIC Adjudicator* (Germany)
- **Micheal Mortimer-Hawkins**, *Special Adviser*, **FIDIC Contracts Committee**; *FIDIC Adjudicator* (Sweden)
- **William Godwin**, *International Counsel*, **Debevoise & Plimpton LLP**, (UK)
- **Levent Imak**, *Construction Contracts/Claims Consultant*, **GTZ International Services** (Turkey)
- **Edward Corbett**, *International Construction Lawyer*, **Corbett & Co**; *FIDIC Adjudicator*; *Member*, **FIDIC Subcontracts Task Group**; *FIDIC Adjudicator* (UK)
- **Dr Sebastian Hök**, *Partner*, **Hök, Steiglmeier & Kollegen**; *FIDIC Adjudicator* (Germany)
- **Mark Roe**, *Partner & Head of Projects & International Construction Group*, **Pinsent Masons** (UK)
- **Jim Perry**, *Founder*, **PS Consulting** (France)
- **Richard Appuhn**, *Civil Engineer; Adjudicator; Consultant*, **Salini Costruttori SpA**; *Member*, **FIDIC Subcontract Task Group**; *FIDIC Adjudicator* (Italy)
- **Christopher Wade**, *Special Adviser*, **FIDIC Contracts Committee**; *FIDIC Adjudicator* (UK)
- **Dr Cyril Chern**, *Barrister*, **Crown Office Chambers**; *Member*, **FIDIC Assessment Panel for Adjudicators**; **Dispute Board Federation**, Geneva; *FIDIC Adjudicator* (UK)
- **Peter Chapman**, *Chair*, **FIDIC Assessment Panel for Adjudicators**; *FIDIC Adjudicator* (UK)

Registrations are currently being accepted at the early bird rates, a saving of £200!

But you'll need to be quick as this offer ends on the 2nd October. For further information please see the attached programme and booking form. Quote VIP Code: **KRXVMVX** in all correspondence.

Conference – Day one: 2nd December 2009

09:00 Registration and Coffee

09:30 Chair's Opening Remarks

- **Geoff French**, *Group Chairman*, **Scott Wilson**, UK; *Member*, **FIDIC Executive Committee**

09:45 Updates to the Construction Contract 1st Edition

Hear how discussion and feedback on key issues is affecting the development of the updates to the FIDIC Construction Contract:

- Extension of time procedures
- Contractor's claims
- The background to Taking Over
- Index limiting and price escalation
 - **Phillip Jenkinson**, *Atkins*, UK; *Chair*, **FIDIC Contracts Committee**
 - **Aisha Nadar**, UK, *Member*, **FIDIC Updates Task Group**
 - **Zoltán Záhonyi**, Hungary, *Member*, **FIDIC Updates Task Group**

10:30 MDB Harmonised Construction Contract

Following inconsistencies with MDBs' use of tender documents, the multilateral development banks adopted a harmonised edition of the FIDIC Conditions of Contract for Construction for their projects. Attend this session to:

- Hear about FIDIC's experience in using the document
 - Gain an insight into new labour and social clauses
 - Understand how the MDB Harmonised Edition differs from the standard 1st Edition
 - Review the contractor's perspective of the MDB Harmonised Edition
 - **Svend Poulsen**, *Project Director*, *Atkins*, Denmark; *Chair*, **FIDIC Updates Task Group**
 - **Simon Hughes**, *Barrister*, *Keating Chambers*
- Further panellists to be confirmed

11:30 Morning coffee

12:00 Successfully Using the New FIDIC Construction Subcontract

FIDIC is publishing a new FIDIC Construction Subcontract that replaces the Red Book Subcontract, 2nd Edition, 1992. This session will highlight everything you need to know regarding the changes and how this will affect how you operate under the contract.

- **Nael Bunni**, *Chartered Engineer; Chartered Arbitrator*, Ireland; *Special Adviser*, **FIDIC Contracts Committee**; *Leader*, **FIDIC Subcontract Task Group**; *FIDIC Adjudicator*
- **Isolino Gomes**, *Contractual Management Coordinator*, *Mota-Engil*, Poland
- **Siobhan Fahey**, Ireland, *Member*, **FIDIC Subcontract Task Group**

13:00 Networking Lunch

14:15 Recent Experience and Updates to the Construction and Plant & Design-Build Contracts

Hear how discussion and feedback on key issues is affecting the development of the update to the FIDIC Plant and Design-Build Contracts:

- Employer's requirements
 - Performance certificate liability in accordance with the governing law
 - Establishing the programme
 - Notices between letter of acceptance and commencement date
 - Unforseeability
 - Provisional sums
 - **Brian Totterdill**, *ECV*; *FIDIC Adjudicator*
- Further panellists to be confirmed

15:15 The DBO Contract: Latest developments

The Design, Build and Operate (DBO) approach to contracting combines design, construction and long-term operation and maintenance of a facility into one single contract awarded to a single contractor.

Attend this session to:

- Examine the new Design, Build and Operate conditions of contract
- Application on brown-field projects
- Review elements of the contract that will bear upon the future development of other FIDIC contracts
 - **Axel Jaeger**, *Former-Chair*, **FIDIC Contracts Committee**; *FIDIC Adjudicator*
 - **Michael Mortimer-Hawkins**, *Special Adviser*, **FIDIC Contracts Committee**; *FIDIC Adjudicator*

16:15 Chairman's Closing Remarks

16:30 Drinks reception

Conference – Day two: 3rd December 2009

09:00 Registration and Coffee

09:30 Chairman's Opening Remarks

09:45 Effectively using the FIDIC EPC/Turnkey Contract

Hear more on recent experience in using the FIDIC EPC/Turnkey Contract, notably issues relating to

- Risks and liabilities
- Post-completion liabilities
- Contract termination
- Role of the employers' representative
- Unforeseen ground conditions
- Variations and payment

- **William Godwin**, *International Counsel*, Debevoise & Plimpton LLP, UK

- **Levent Irmak**, *Construction Contracts/Claims Consultant*, GTZ International Services, Turkey

- **Edward Corbett**, *International Construction Lawyer*, Corbett & Co, UK; *FIDIC Adjudicator*; *Member*, FIDIC Subcontracts Task Group; *FIDIC Adjudicator*

10:45 Networking Break

11:15 Applying FIDIC Alongside Civil Codes and Common Law

Learn whether applicable provisions of a civil code jurisdiction may have an effect different to that for a common law jurisdiction, with particular attention given to:

- Entitlement to claims
- Contractors' liability
- Contractors' delay in completing the works
- Time bars

- **Dr Sebastian Hök**, *Partner*, Hök, Steiglmeier & Kollegen, Germany; *FIDIC Adjudicator*

- **Axel Jaeger**, *Chair*, FIDIC Contracts Committee; *FIDIC Adjudicator*

- **Jim Perry**, *PS Consulting*, France

12.15 Networking Lunch

14:15 DABs: General Aspects

The DAB procedure was introduced as FIDIC's method for primary dispute resolution and has now been adopted by the MDBs for the MDB Harmonised Construction Contract. Attend this session to gain a general overview of the developments:

- Advantages and disadvantages of DABs
- Construction industry trends affecting disputes and claims
- Recent examples of DABs
- Perceived barriers to DABs
- Issues concerning the use of DABs in various types of projects
- Cost savings and other benefits as a direct result of DABs

- **Richard Appuhn**, *Civil Engineer*; *Adjudicator*; *Consultant*, Salini Costruttori SpA, Italy; *Member*, FIDIC Subcontract Task Group; *FIDIC Adjudicator*

Further panellists to be confirmed

15:00 DABs: Specific Issues and the Latest Developments

Recent experience and the increasing use of Dispute Adjudication Boards has given rise to developments in several areas which will bear the updated FIDIC Construction, Plant and Design-Build Contracts and EPC/Turnkey contracts:

- Court enforcement of the DABs' decisions
- Procedures
- Several different forms of DAB

- **Christopher Wade**, UK, *Special Adviser*, FIDIC Contracts Committee; *FIDIC Adjudicator*

Further panellists to be confirmed

15:45 Networking Break

16:15 Mock DAB

New for 2009! Build your understanding of the operation of the DAB process through this re-enactment of a typical DAB proceeding.

- **Dr Cyril Chern**, *Barrister*, Crown Office Chambers, UK; *Member*, FIDIC Assessment Panel for Adjudicators; *Dispute Board Federation*, Geneva; *FIDIC Adjudicator*

- **Peter Chapman**, UK, *Chair*, FIDIC Assessment Panel for Adjudicators; *FIDIC Adjudicator*

17:00 Chair's Closing Remarks

17:15 Close of Conference

PRIORITY BOOKING FORM

Fax back to: +44 (0)20 7017 4746. Alternatively, email professionalcustserv@informa.com, call +44 (0)20 7017 5503, visit www.ibclegal.com/fidic, or post this form to Bookings Dept., PO Box 406, West Byfleet, Surrey, KT14 6WL, UK. Please quote your VIP Code (given below) when registering.

VIP Code: KRXVMVX

FIDIC International Contract Users' Conference
2-3 December 2009 • London, UK (KW8067)

	Book by 2nd October	Book by 6th November	Standard Price
FIDIC International Contracts Users' Conference	SAVE £200 <input type="checkbox"/> £1099 + VAT @ 15% (£1263.85)	SAVE £100 <input type="checkbox"/> £1199 + VAT @ 15% (£1378.85)	<input type="checkbox"/> £1299 + VAT @ 15% (£1493.85)

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3rd Delegate Name Job Title Dept

An additional £200 discount applies for any 3rd and subsequent delegates. Please notify IBC when booking.

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