



## Training Seminar on the “new” FIDIC Contracts 2017 - Second Editions of the Red, Yellow and Silver Books

*with Ben Mellors, Co-author of the leading textbook “FIDIC Contracts: Law and Practice”*

### Seminar Tutors

**Başar Şahin** BSc Civil Engineering, LL.M Construction Law  
Director, ICM Consulting  
Senior Contracts and Claims Consultant

**Ben Mellors** MEng Engineering Science, DipLaw  
Partner, HFW  
Senior Construction Lawyer

Mercure Bosphorus Hotel  
Istanbul, TURKEY  
27 Feb 2018

Wyndham Grand  
Ankara, TURKEY  
28 Feb 2018

#### **For information contact**

ICM Consulting

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# Why ICM Consulting?

ICM Consulting Ltd. is a specialist international construction contracts and claims consultancy firm. ICM offers services to Employers, Contractors and Legal Professionals in contract-claim management, cost-schedule engineering, dispute adjudication, expert analysis and corporate training.

With their associates, ICM's past project experience expands to over 20 countries concentrated in Europe, Middle East, Africa, South Asia, Far East Asia and the USA focusing in all aspects of construction and engineering projects such as railroads, highways, tunnels, airports, power plants, transmission networks, marine works, water desalination, housing and oil-gas business.

# Why HFW?

HFW is a sector focused law firm. HFW's global construction team understands the industry inside and out, working on large-scale complex and high value energy and infrastructure projects across multiple jurisdictions. HFW combines this heavyweight industry and legal knowledge with a forward thinking approach to finding practical and commercially orientated client solutions.

It is HFW's practical industry experience combined with a true global reach and sizeable specialist teams working across Europe, the Middle East, Africa and Asia-Pacific, that makes HFW among the first rank of international construction law teams.

# Seminar Tutors



**Başar Şahin** has held contract, commercial and project management positions with major firms for nearly 20 years and gained extensive experience in contract-claim management with a special emphasis in cost control, scheduling and dispute resolution. Başar's professional career started in Turkey and he then pursued a profession in Commercial Management in the USA for nearly 10 years.

Upon his return to Turkey, he joined ICM Consulting as a contract and claims consultant. During this time he has taken responsibilities from tender to post contract stages in all aspects of commercial management including negotiation of change orders, delay, acceleration, differing site condition and inefficiency Claims for lump sum contracts as well as cost reimbursable contracts.

Başar's experience includes involvement in a wide variety of projects such as railroads, highways, tunnels, airports, process power plants, marine works, housing, oil-gas projects in countries including Turkey, Russia, Qatar, United Arab Emirates, Kuwait, Saudi Arabia, Iraq, Algeria, Morocco, Libya, Ethiopia, Albania, Egypt, Nigeria, Azerbaijan, Uzbekistan, Afghanistan, Jordan and the USA.

Başar holds a BSc in Civil Engineering from Istanbul Technical University and an LLM in Construction Law and Arbitration from Robert Gordon University. Başar has Turkish as his mother tongue and speaks English and German in full professional proficiency. He is a Member of the Dispute Resolution Board Foundation (DRBF), Chamber of Civil Engineers Istanbul (IMO) and Chartered Institute of Arbitrators (MCIArb).



**Ben Mellors** is a partner of HFW and specialist construction lawyer with over 18 years' experience in the industry. He advises clients on all aspects of international construction and engineering projects, from procurement and the drafting and negotiation of contracts to project advice, claims and dispute resolution. He has a particular focus on Southern Europe,

the Middle East and East Africa. He has advised on a wide range of projects, with particular knowledge and experience in international infrastructure, process plant and power projects and the FIDIC forms of contract. He is co-author of FIDIC Contracts: Law and Practice (Informa) one of the leading textbooks on the major FIDIC forms of contract.

Ben has a particular interest and expertise in avoiding and solving complex, high-value problems, claims and disputes in the international construction industry. He regularly represents clients in international arbitrations, litigation, adjudication, dispute boards and mediation. He is recommended for Construction by Legal 500 UK 2017 and regularly speaks at international conferences on construction law issues.

Ben is a Solicitor-Advocate qualified in England and Wales and a former barrister. Ben has an M. Eng in Engineering Science from Oxford University and, before the law, he practised as a civil engineer at a leading international consulting engineering company. He is an Associate Member of the Institution of Civil Engineers (UK) and a member of the Dispute Resolution Board Foundation (DRBF). Ben is resident of the UK.

# Who Should Attend?

- Engineers
- Project Managers
- Bankers
- Government Employees
- Developers
- Architects
- Insurers
- Lawyers

## Course Materials:

*Work Book for the topics of Discussion*

*At the end of the course, participants will receive an attendance certificate.*

# The Course Overview

This course will provide an introduction to the newly published Second Editions of the FIDIC Red, Yellow and Silver Books 2017. The emphasis of the course is the practical application of the new contracts, best practice and pitfalls to avoid. The key changes in the FIDIC forms will be examined and applied to real-life examples. The course is designed to be interactive, with opportunities for the delegates to analyze contract clauses and engage with the tutors on their implementation in practice. Course materials and discussions will be held in the English language.

Delegates of this course should have a basic knowledge of international construction contracts and be keen to improve their knowledge of the latest editions of the most widely used international standard form of contract.

## Programme

### 8:30 - 9:00 Registration, Coffee, Tea and Refreshments

### 9:00 - 9:15 Introduction

### 9:15 - 10:00 Session 1 - Overview of the "new" FIDIC Rainbow Suite

- "New" Red, Yellow and Silver Books
- FIDIC's approach to risk allocation
- Summary of changes in the Second Editions

### 10:00 - 10:45 Session 2 - The Parties and their obligations

- The Contractor's key obligations, including design and completion
- The Employer's key obligations
- Key changes in the Second Editions

### 10:45 - 11:00 Tea Break

### 11:00 - 11:45 Session 3 – Contract Administration

- The role of the Engineer
- Reporting requirements
- The enhanced Engineer's determinations provisions in the Second Edition

### 11:45 - 12:30 Session 4 - Variations and Payment

- What is a variation?
- The revised variation procedure and valuation
- Payment procedures

### 12:30 - 13:00 Session 5 - Time and Completion

- Time for completion and extensions of time
- Who is responsible for concurrent delay?
- Taking-over of the Works

### 13:00 - 14:00 Lunch Break

### 14:00 - 14:45 Session 6 - Claims

- What is a claim?
- The new claims procedures in the Second Editions
- Practical tips on the presentation of claims

### 14:45 - 15:30 Session 7 - Suspension and termination

- When can the Parties suspend work?
- The new termination provisions in the Second Editions

### 15:30 - 15:45 Tea Break

### 15:45 - 16:30 Session 8 - Dispute Resolution / Arbitration

- Navigating the new dispute resolution procedures in the Second Editions
- Standing dispute boards
- Arbitration

### 16:30 - 17:00 Q&A and further discussion

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## Personal Information

Name \_\_\_\_\_

Job Title \_\_\_\_\_

E-mail \_\_\_\_\_

Telephone \_\_\_\_\_

## Company Details

Name \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_

## Booking Details

Course fees include full notes of the seminar, lunch, tea-coffee breaks and training certificate.

**Full Price Rate** € 345 + KDV  
**Early Rate (to 31 January)** € 295 + KDV  
**Multiple Delegates from same firm** € 295 + KDV

## Payment

Bank Transfer payable to:

## ICM Consulting İnşaat Danışmanlık Ltd.

Sun Plaza, Bilim Sok. No.5 Floor 13 Maslak Istanbul  
Akbank Buyaka Euro Account IBAN: TR720004601422036000008607  
Akbank Buyaka TL Account IBAN : TR040004601422888000008605

## Principal Terms and Conditions

A certificate of attendance will be provided to each delegate.

We reserve the right to alter or change the programme at any time. *ICM Consulting* also reserves the right to cancel or postpone the seminar under-subscribed or for any other reason. In case of cancellation, we will refund the seminar fee in full. In case of postponement, registered delegates have the right to choose to attend the seminar on the new dates or to request a refund. In the cases of cancellation or postponement, we cannot be held liable for any pre-booked travel or accommodation costs.

Cancellations by delegates can be made in writing no later than 14 days before the seminar and we will refund your fee in full. We regret to inform that no refunds are possible for cancellation requests after that date. Substitutions may be made at any time.

## Approval Signature \_\_\_\_\_

Registration will be complete upon receipt of both filled Registration Sheet and Payment.

Please complete the form and fax or e-mail to Att **Gülay Souka**, info@icmconsultation.com Tel: +90 212 366 5742 Fax: +90 212 366 5802