

To: Mr Izhak Stern
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From: Catherine Watson
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Date: 15th December 2009

Your last 3 days to save £200!

Dear Mr Stern,

International FIDIC experts will be congregating in Abu Dhabi in February to discuss the latest and upcoming amendments to the FIDIC suite of contracts. They will be joined by **local engineers, project managers and lawyers** with the **day-to-day experience of utilising the FIDIC documents** right across the Middle East region.

If you are already engaged in FIDIC projects in the region, or looking to capitalise on opportunities in areas such as Abu Dhabi where large construction projects are still underway, this is the perfect opportunity to **build new relationships with leading experts and deal-makers.**

FIDIC and IBC Legal present the inaugural

FIDIC MIDDLE EAST CONTRACT USERS' CONFERENCE

The essential guide for successfully utilising the FIDIC suite of contracts and effectively resolving disputes in the Middle East region

24th & 25th February 2010, Beach Rotana Abu Dhabi, United Arab Emirates

Programme Day One: 24th February 2010

09:00 Registration and Coffee

09:30 Chair's Opening Remarks

- **Phillip Jenkinson**, Principal Consultant, Transport Planning & Management, **Atkins**, UK; Chair, **FIDIC Contracts Committee**

09:45 FIDIC Contracts: Recent Developments and their Practical Implications, Including the Engineer's Roland Project Management

An essential update of recent changes to the FIDIC suite of contract documents and future developments. Attend this session to:

- Discuss work in progress and future developments
- Examine new publications and the use, sale, translation and licensing of FIDIC contracts
- Review the new FIDIC document and new procurement procedures

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

- **Nabil Abbas**, General Manager, **Abbas Architects and Construction Consultants**, Saudi Arabia

10:30 Updates to the FIDIC Suite of Contracts

Learn about the latest concepts and issues being taken up in the updating of the FIDIC 1999 suite of contracts.

- **Aisha Nadar**, **Nadar Consulting**, UK; Member, **FIDIC Updates Task Group**

- **Svend Poulsen**, Project Director, **Atkins**, Denmark; Chair, **FIDIC Updates Committee**

- **Fawzi Abu Moghli**, **Arabtech Jardaneh**, Jordan

11:15 Morning Coffee

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11:45 **Selecting the Most Appropriate FIDIC Form of Contract**

An update and analysis of experience in the Middle East of using the FIDIC Forms including considerations of risk allocation.

- **Larissa Buriak**, Associate, **Eversheds**, United Arab Emirates
- **Phillip Jenkinson**, Principal Consultant, Transport Planning & Management, **Atkins**, UK; Chair, **FIDIC Contracts Committee**
- **O.P. Goel**, Former Director-General, **Central Public Works Department**, New Delhi, India

12:30 Networking Lunch

13:45 **Claims under the FIDIC Contracts in Civil Code and Common Law Jurisdictions**

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, Stieglmeier & Partner**, Germany
- **Prof. Ibrahim Al Hammad Ibrahim**, King Saud University, Saudi Arabia

14:30 **Construction Contract, 1999 and MDB Harmonised Editions: Recent Experience**

The FIDIC Construction Contract and its Multilateral Development Bank Harmonised editions are now the international standards for employer designed works in their respective fields.

- **Sami Ahmad Faruqi**, Divisional Manager, Operations, Policy & Procurement, **Islamic Development Bank**, Saudi Arabia
- **Aisha Nadar**, **Nadar Consulting**, UK; Member, **FIDIC Updates Task Group**
- **Gamal Nassar**, Secretary General, **Egyptian Society of Consulting Engineers (ESCON)**, Egypt

15:15 Networking Break

15:45 **Successfully Using the New FIDIC Construction Subcontract**

The new FIDIC Construction Subcontract, that replaces the Red Book Subcontract, 2nd Edition, 1992, will be published in time for this event. This session will highlight everything you need to know regarding the changes and how they will affect how you operate under the contract.

- **Siobhan Fahey**, Ireland, Chartered Engineer, Chartered Arbitrator; Member, **FIDIC Subcontract Task Group**

16:30 Chair's Closing Remarks

16:45 Close of Day One

Programme Day Two: 25th February 2010

09:00 Registration and Coffee

09:30 **Chairman's Opening Remarks**

- **Phillip Jenkinson**, Principal Consultant, Transport Planning & Management, **Atkins**, UK; Chair, **FIDIC Contracts Committee**

09:45 **FIDIC Plant and Design-Build Contract – Recent Experience**

Hear discussion and feedback on key issues relating to users' experience with the FIDIC Construction and Plant and Design-Build Contracts, with a special focus on:

- Employers' requirements
- Performance certificate liability in accordance with the governing law
- Establishing the programme
- Notices between letter of acceptance and commencement date
- Unforeseeability

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- Provisional sums
- **Siobhan Fahey**, Ireland, Chartered Engineer, Chartered Arbitrator; Member, **FIDIC Subcontract Task Group**
- **Sherif El Haggan**, Founder, **CAB**, Egypt
- **Geoff Smith**, Founder, **PS Consulting**, France

10:30 Networking Break

11:00 FIDIC EPC/Turnkey Contract – Recent Experience

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, UK

11:45 Operating Under the DBO

- The application of DBO to brown field projects
 - Recent experience of using the DBO contract in the Middle East
- **Axel Jaeger**, Germany, Former-Chair, **FIDIC Contracts Committee**; FIDIC Adjudicator

12:30 Networking Lunch

13:45 Latest Developments in Dispute Resolution under FIDIC Contracts in the Middle East

- Utilising the various dispute resolution tools available in the Middle East
 - Latest developments to be aware of
 - Obtaining the best possible result, in the quickest time whilst ensuring value for money
- **Sherif El Haggan**, Founder, **CAB**, Egypt
- **Sachin Kerur**, Partner, **Pinsent Masons**, United Arab Emirates
- **William Godwin**, International Counsel, UK

14:30 Networking Break

15:00 Arbitrating Construction Disputes

- How the FIDIC contract is viewed by the National Court
- What challenges the FIDIC contract faces when it comes to implementation under the UAE law
- Enforcement of FIDIC contract under the UAE law
- Multiparty and multi-contract issues

Session Chair: **David Robertson**, Partner, **Fenwick Elliott LLP**, London

- **Sami Houerbi**, Director, Eastern Mediterranean, Middle-East & Africa, **International Court of Arbitration**, Tunisia
- **Essam Al Tamimi**, Senior Partner, **Al Tamimi and Co**, United Arab Emirates

15:45 Enforcement of Arbitral Awards

- Basic framework of the enforcement of arbitration awards and the New York Convention
 - Procedure for applying for enforcement
 - Grounds for refusing enforcement and matters of public policy
- **Martin Bowdery QC**, **Atkin Chambers**, UK
- **Simon Lofthouse QC**, **Atkin Chambers**, UK

16:30 Chairman's Closing Remarks

16:45 Close of Conference

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FIDIC Middle East Contract Users' Conference
24-25 February 2010 • Beach Rotana Abu Dhabi, UAE (KW8073)

Mr Izhak Stern, I Stern YDE Engineers, 15 Gershon Street,
Tel Aviv, 67017, ISRAEL

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