



## FIDIC

### Activities

#### [FIDIC 2010 New Delhi Conference gets underway](#)

The FIDIC 2010 conference *Managing Innovation - The Way Forward* promises to be a landmark event for consulting engineering.

## Business

### Development

#### [Revised World Bank guidelines released for comment](#)

The World Bank's revised Consultants Guidelines can be commented on before 15 May 2010.

#### [Pilot certification scheme to be launched](#)

The Chinese government has approved the creation of a pilot FIDIC Engineer certification scheme.

### Practice

#### [The role of private sector standards, notably FIDIC contracts, remains unclear](#)

A new International Standards Organization publication *International Standards and "private standards"* does little to answer the questions.

### Contracts

#### [FIDIC MDB Harmonised Design-Build Contract Particular Conditions](#)

FIDIC has released Particular Conditions for a "MDB harmonised" *FIDIC Plant and Design-Build Contract*.

## Industry

### Representation

#### [FIDIC and the European federation EFCA to enter into a new agreement](#)

Extensive discussions on the role of a European federation in a more global industry have ended with the development of a new FIDIC-EFCA agreement.

### Image

#### [Innovation report planned for New Delhi conference](#)

A SYNTEC-Ingénierie white paper will be recast in an international light for discussion at the FIDIC 2010 annual conference.

#### [Future of green jobs to be addressed](#)

The impact of investments in measures to introduce clean energy technology to be reviewed by the FIDIC Climate Change Task Group.

## Principles

### Quality

#### [Ensuring that the revised UNCITRAL Model Law and enactment guide reflects best practice](#)

Active participation has confirmed that the revised UNCITRAL Model Law and guide will accommodate Quality Based Selection.

### Ethics

#### [Social responsibility guide aims to be a standard](#)

The International Standards Organization has decided to progress its ISO draft 26000 social responsibility guidance to become a fully fledged standard.

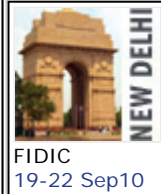
#### [Cross-debarment reinforces an earlier agreement](#)

A multilateral development bank cross-debarment agreement formalises what was effectively in place under a 2006 agreement.

### Sustainability

#### [Industry climate change initiatives to be surveyed](#)

FIDIC's new Climate Change Task Group is to consolidate and share information on a wide range of Member Association initiatives.



## Announcements

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## FIDIC - Activities

### FIDIC 2010 New Delhi Conference gets underway [\[full item: 113Ac\]](#)

Registrations for the 2010 FIDIC Annual Conference *Managing Innovation - The Way Forward* (New Delhi; 19-22 September), the consulting engineering industry's premier event, are now streaming in at [www.fidic2010.org](http://www.fidic2010.org). FIDIC 2010 New Delhi will explore the many facets of innovation that arise in providing the quality services needed to meet the industry's growing demands and challenges in an ever-more competitive and risk-averse environment which is not always conducive to innovation. Plenary sessions, business seminars and workshops over three days will review how the industry is responding to the need for innovation, how firms are handling the consequences of innovation, and the tools being developed to ensure that innovation is managed correctly from the project level through to the industry level and by society as a whole. Each day addresses a key theme, starting with *Delivering innovation in projects* and *Project Sustainability* before turning to *The consequences and processes of innovation*. Given the overriding urgency to better address global issues, especially climate change, resource shortages and the needs of developing and emerging economies, innovation must be inclusive. Sessions will weigh up the relative advantages of catching up to the global frontier of knowledge through increased absorption as opposed to expanding frontiers through knowledge creation.



Participants are being urged to book hotel accommodation as soon as possible since the 2010 Commonwealth Games which take place shortly after the FIDIC conference are also generating an exceptional demand. There is pressure on FIDIC's capacity to retain block allocations at special rates with several conference hotels. At present, rooms can only be guaranteed until 30 June 2010. In general, reserving hotel accommodation through the booking agent IHT (see [Hotels](#)) on the conference website) offers the most advantageous conditions.



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## Business - Development

### Revised World Bank guidelines released for comment [\[full item: 67De\]](#)

The World Bank [released](#) a revised version of the *Guidelines: Selection and Employment of Consultants under IBRD Loans and IDA Credits by World Bank Borrowers* for comment in April 2010. This follows on from an earlier revision to the Bank's *Standard Request for Proposals: Selection of Consultants*, for which FIDIC prepared a submission in late-2009 after close consultation with the Bank (see [News item](#)). It is pleasing to note that, although the Bank still provides details on a several alternatives for the selection method, greater clarity is given for Quality Based Selection, along with more precision on several practical considerations such as tax in the country of operation. Proposed revisions cover significant policy changes, changes to adjust to best practice, clarifications to avoid misinterpretation, and editorial changes for consistency between procurement and consultant guidelines. FIDIC is coordinating responses from its committees and is consulting colleagues in the European federation EFCA and in the ACEC-USA, who will attend briefings held by the Bank in Washington DC on FIDIC's behalf. Those wishing to contribute to FIDIC's response are asked to send comments to [fidic@fidic.org](mailto:fidic@fidic.org) (the Bank will accept comments up to 15 May 2010).



### Pilot certification scheme to be launched [\[full item: 68De\]](#)

FIDIC signed an agreement in 2006 to extend the FIDIC/CNAEC-China training programme to include a pilot programme to certify a "FIDIC Engineer" based on the completion of a formal curriculum, the recording of course attendance and assessment results, and procedures to maintain certification (see [News item](#)). Training would be based on modules of the FIDIC contracts and business practice training manuals with the aim to strengthen best practice. Shortly after, the Chinese government indicated that it would first review the various certification schemes being offered. CNEAC reported recently that the State Council has approved the FIDIC programme, which will now go ahead. CNAEC is presently updating documents that cover the scheme's regulation and operation as well as a *Guide to the Certification of FIDIC Engineers* and it is aimed to offer the first certification courses in late-2010. The programme will benefit from the *FIDIC 2010 Asia-Pacific Contracts Users Conference* ([website](#)) that takes place on 24-25 June in Beijing to make trainers and potential applicants more familiar with FIDIC contracts and procurement best practice.



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### Business - Practice

### The role of private sector standards, notably FIDIC contracts, remains unclear [\[full item: 84Pr\]](#)

The consulting engineering industry is very familiar with the need for, and value of, standards. In the early 2000's, there was a growing sense that a multitude of private standards developed by industry were starting to act as trade barriers. Studies were carried out by several organisations including UNIDO (an inventory on private standards), UNCTAD (typology of global standards), OECD (private standards and market access), World Trade Organisation (private standards and WTO agreements), and the FAO (overview of standards). ISO in a recent publication ([PDF](#)) summarised findings in making recommendations.



While any organisation may claim to have developed a "standard", private standards exist alongside international standards and technical regulation promulgated by government and mandated by law. ISO argues that WTO disciplines demand that "international standards" be developed by designated organisations as demonstrated by the *WTO Agreement on the Application of Sanitary and Phytosanitary Measures*, or according to principles for international standards development, as demonstrated by the *WTO Agreement on the Technical Barriers to Trade*. It is too early to tell whether this very restrictive definition that sets international standards apart from the private sector conforms with international law. More importantly, clarity is needed on the role of certification, rating and labelling schemes and private standards, including FIDIC contracts that are de facto international standards, which are used throughout the building and construction industry. ISO simply argues that links between private standards and formal international standard-setting organisations need to be strengthened, but gives no indication of possible outcomes.



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### Business - Contracts

### FIDIC MDB Harmonised Design-Build Contract Particular Conditions

[\[full item: 84Co\]](#)

The Participating Banks for the widely used Multilateral Development Bank (MDB) Harmonised Edition of the *FIDIC Construction Contract* are not planning at present to licence the *FIDIC Plant and Design-Build Contract* for preparing a MDB Harmonised Edition. In response to inquiries, FIDIC is supplying Particular Conditions for the *Plant and Design Build Contract* that render the conditions compatible with the MDB Harmonised FIDIC Construction Contract, see [PDF](#), [WORD](#). These Particular Conditions will be made compatible with a new 2010 version of the Harmonised Construction Contract that is being finalised for publication. They are also dealt with in many of the approximately 50 contracts training events organised each year by the FIDIC International Training Programme (see [Events](#)).





## Industry - Representation

### FIDIC and the European federation EFCA to enter into a new agreement

[full item: 68Re]

The FIDIC President, Gregs Thomopoulos, and the President of the European Federation of Engineering Consultancy Associations (EFCA), Panos Panagopoulos, have indicated in letters to Member Associations that following approval by the EFCA Board of Directors on the 25 March 2010 and by the FIDIC Executive Committee on the 19-20 May 2010, the Presidents intend to sign a new comprehensive FIDIC-EFCA agreement at the EFCA 2010 General Assembly Meeting (Rome; 27 May 2010) that takes place with the EFCA 2010 Conference (brochure in [PDF](#)).



The agreement, which aims to ensure consistency of policies and to avoid overlaps in activities, is for cooperation and the representation of FIDIC in Europe by EFCA. It concluded an extensive and in-depth review of FIDIC and EFCA activities that culminated in a meeting of board members from both federations in Geneva in March 2010. Meanwhile a series of joint FIDIC-EFCA initiatives are underway, notably industry surveys and collaboration between committees for sustainability development in areas such as urban- and project-level indicators, climate change and innovation risk.

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## Industry - Image

### Innovation report planned for New Delhi conference [full item: 49Im]

With innovation now a necessity if consulting engineers are to respond adequately to present and future challenges SYNTEC-Ingénierie, a FIDIC Member Association for France, has released an English version of its *Engineering Consultancy and Innovation* report ([go to download](#)). The report made recommendations on how to strengthen the industry's capacity to deliver innovation by examining both firms and their operating environment. The main conclusions: senior management must commit to promoting innovation; government links must encourage joint actions with industry; the way relations between the parties in a project are organised must be must be adjusted. SYNTEC-Ingénierie and the European federation EFCA have agreed to work with FIDIC to prepare an international version of the report that consolidates industry best practice and guidance for release in a draft form for discussion at the FIDIC 2010 New Delhi Conference ([www.fidic2010.org](http://www.fidic2010.org)) that has "Managing Innovation" as the theme.



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### Future of green jobs to be addressed [full item: 50Im]

In preparation for the G-20 Summit Meeting on 26-27 June 2010 in Toronto, an International Labour Organization report has noted that G-20 countries are investing heavily in measures to transit to clean energy technology, with major benefits expected for employment generation. The report reiterates earlier conclusions that measures to reduce energy consumption and greenhouse gas emissions could generate 3.5 million new jobs by 2050 in the residential building sector alone. Moreover, a broad range of new technical and managerial skills were needed to implement renewable energy and energy-efficient technologies. However, the report did not detail the likely impact on individual sectors such as consulting engineering and the effect of the recent financial crisis on the lack of so-called "green skills" reported in the UNEP *Green Jobs* report ([PDF](#)) in 2008.



A May 2010 OECD report *Green jobs and skills: the local labour market implications of addressing climate change* ([PDF](#)) confirmed the importance of clean energy technology for employment and highlighted the importance of training. The FIDIC Climate Change Task Group (CCTG) established in March 2010 (see [News item](#)) will address these aspects in preparing a policy document reviewing the engineering issues that should be addressed by the governments in dealing with climate change. John Boyd, the CCTG chair, reports that nominations to the task group have been accepted by specialists from eight countries (see also [News item](#)).



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## Principles - Quality

### Ensuring that the revised UNCITRAL Model Law and enactment guide reflects best practice [\[full item: 4Qu\]](#)

The *UNCITRAL Model Law on Procurement of Goods, Construction and Services, with Guide to Enactment* issued in 1994 (see [UNCITRAL](#)) as a template for national procurement legislation has been under revision since 2004. By providing real-world examples and detailed explanations on how Quality Based Selection (QBS) works in practice, Bob Smith of Akerman Senterfitt, USA, and FIDIC's representative to the UNCITRAL Working Group on Procurement has helped ensure that QBS will be accommodated under the revised Model Law. The challenge now is to ensure that a revised *Guide to Enactment* that accompanies the Model Law becomes more relevant by having separate sections for enactment, use and application of the Model Law at the national working level, and day-to-day issues. This structure would help users in not only applying the requirements of the Model Law but also prepare them to manage contracts formed pursuant to its requirements, thus providing an opportunity to reference FIDIC contracts as suitable for documenting the contract relationships formed under the various methods of procurement allowed by the Model Law. As a result, procurement procedures and structures that are not widely used may be deleted or at least relegated to options, with proven contract structures and methodologies compatible with the FIDIC contracts and procurement procedures taking the forefront, including QBS principles and procedures.



## Principles - Ethics

### Social responsibility guide aims to be a standard [\[full item: 50Et\]](#)

The International Standards Organization (ISO) working group that released in September 2009 (see [press release](#)) the draft standard ISO 26000 guidance on social responsibility (PDF) has decided (see [press release](#) and [www.iso.orf/sr](#)) to progress the guide as Final Draft International Standard (FDIS), the final stage prior to its publication as an international standard. Some 2650 comments from ISO members and liaison organisations will be incorporated into a new revised document to be circulated as the FDIS for a two-month ballot. If approved, an ISO 26000 standard could be published by the end of 2010. ISO 26000, by drawing on "best practice developed by existing public and private sector initiatives" will provide "harmonised, globally relevant guidance based on international consensus" that aims to "encourage the implementation of social responsibility". The draft guide includes a useful table of examples of cross-sectoral initiatives but cannot be considered as a conventional standard that articulates a management system. Instead, it is possibly envisaged that approaches such as at the FIDIC Business Integrity Management System (see [BIMS](#)) will provide implementation standards.



### Cross-debarment reinforces an earlier agreement [\[full item: 51Et\]](#)

Sanctions by multilateral development banks (MDBs) typically include reprimand, conditions on future contracting, or public debarment. Senior representatives of the African Development Bank, the Asian Development Bank, the European Bank for Reconstruction and Development, the Inter-American Development Bank Group, and The World Bank Group [signed](#) on 5 April 2010 an agreement to cross-debar firms and individuals found to have engaged in wrongdoing in MDB-financed projects (the photo shows the bank representatives, from the right: L. Thunell, World Bank; H. Kuroda, ADB; R. Vellutini, IDB; M. Portugal, IMF; P. Maystadt, EIB; D. Kaberuka, AfDB; T. Mirow, EBRD). The new agreement will allow joint investigations, where relevant, and entities debarred for more than one year by a MDB to be sanctioned for the same misconduct by other participating MDBs, closing off what was considered to be a loophole. The new agreement effectively formalises what was already implied, and presumably acted upon, under a 2006 agreement that harmonised definitions of sanctionable practices and enhanced the sharing of investigative information. The hope is that the mutual recognition of anticorruption efforts among the banks will lead to greater recognition by the banks of more positive approaches to stamp out corruption, such as the FIDIC Business Integrity Management System ([BIMS](#)).



## Principles - Sustainability

### Industry climate change initiatives to be surveyed [\[full item: 9Su\]](#)

One of the tasks of the new FIDIC Climate Change Task Group chaired by John Boyd (see photo and [News item](#)) will be to help FIDIC Member Associations exchange information about ways they can promote efforts to mitigate climate change. Several associations have already participated in or set up major initiatives. Lobbying government is a key activity. As an example, in April 2010 the ACEC-USA addressed a letter urging senators drafting the climate change legislation to allocate revenues from automotive fuels to transportation investments ([PDF](#)). Similarly, Consult Australia published in 2008 a policy options [white paper](#) responding to the federal government's preferred positions for carbon pollution reduction. In April 2010, the VBI-Germany President, Volker Cornelius, advised government (see [VBI news item](#)) on the occasion of the formal commissioning of Germany's first offshore wind farm that such ventures call for an extensive range of services from consulting engineers who are independent of contractors and equipment suppliers. A similar message was passed by SYNTEC-Ingénierie in the April 2010 issue of its magazine (see [PDF](#)) on "Eco-Innovation". The association's President, Alain Bentéjac, also stressed the need for a management system such as FIDIC's Project Sustainability Management to be implemented at a very early stage of project development. SYNTEC is also lobbying government to rectify outdated regulations whereby only architects and certifiers are able to certify the energy performance of buildings.



Working with government bodies and private sector organisations to develop guidance is another key association activity. For instance, Michelle McDowell, the ACE-UK chair, helped author the initial report released in late-2009 of the UK's Low Carbon Construction Innovation and Growth Team which set out recommendations to transform construction projects (see [ACE news item](#)). Meanwhile, CECOPHIL-Philippines recently became a Philippine Green Building Council (GBC) Technical Alliance Partner, JACEC-Jordan is participating in Jordan's GBC that was officially launched on 17 March 2010, and ACEM-Malaysia is promoting Malaysia's Green Building Index [rating tool](#) that is organised by professional institutes for engineers and architects.

Restructuring the consulting engineering industry for it to be able to tackle climate change effectively is an important issue for some associations. For example, in Switzerland professional interests in the field of the natural and built environment are seen as being too fragmented to be truly effective (see [SIA news item](#)). Training and distributing information is another key area of association involvement, with associations such as Tecniberia-Spain providing a dedicated climate change [web portal](#) as well as organising a comprehensive, state-of-the-art, climate change training [programme](#) for consulting engineers that comprises eight five-hour course modules delivered over two months.

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## Announcements - Events

### FIDIC Conferences and International Training Programme [\[full item: 63Ev\]](#)

FIDIC-ECV Contracts [Course](#) (Practical Use), Zagreb, 10-11 May 10  
FIDIC-DBRF Training [Workshop](#), Istanbul, 12-13 May 10  
FIDIC-ECV Contracts [Course](#) (Practical Use), Ankara, 13-14 May 10  
DBRF Dispute Resolution [Conference](#), Istanbul, 14-16 May 10  
FIDIC Contracts [Seminar](#), Damascus, 15-16 May 10  
CNEC-Mexico 25th Anniv./FEPAC [Gen. Ass.](#), Mexico City, 18-21 May 10  
FIDIC Contracts [Seminar](#), Pristina, 25 May 10  
FIDIC Contracts [Seminar](#), Tripoli, 26 May 10  
EFCA-Europe Conference, Rome, 27-29 May 10  
FIDIC-DBT Contracts [Course](#) (DABs), Doha, 31 May - 1 Jun10  
FIDIC-ECV Contracts [Course](#) (Practical Use), Paris, 31 May - 1 Jun 10 (in French)  
FIDIC-ECV Contracts [Course](#) (Practical Use), Singapore, 1-2 Jun 10  
FIDIC-ECV Contracts [Course](#) (Practical Use), Abu Dhabi, 6-7 June 10  
ACA-Austria 150th Celebration, Vienna, 16-17 Jun 10  
FIDIC-Cornerstone Contracts [Workshop](#) (Contracts), Prague, 23-24 Jun 10  
FIDIC Asia-Pacific Contracts Users [Conference](#), Beijing, 24-25 Jun 10  
FIDIC ASPAC Asia-Pacific 2010 Regional Conference, with [FIDIC 2010 New Delhi](#)  
FIDIC [2010 New Delhi](#), 19-22 Sep 10



## GAMA-Africa Regional Conference addressed infrastructure investment

[full item: 69Ev]

With as backdrop a 2008 World Bank estimate (PDF) that sub-Saharan Africa needed USD 75 billion annually in infrastructure investment to meet demand, which was increased to USD 93 billion in 2009 (see *Africa's Infrastructure: A Time for Transformation report*), the Right Honourable Raila Odinga, Kenya's Prime Minister, and also an engineer, opened the FIDIC GAMA-Africa 2010 Regional Conference (Mombasa, 17-19 March 2101) to lend weight to the critical role played by engineers in developing appropriate strategies for this investment. He is seen in the photo on the left, with Gregs Thompoulos, FIDIC President. Interviewed after the opening the Prime Minister noted that "most African consultants cannot get involved in World Bank projects because of conditionalities. I will petition the African Union to push for the review of African Development Bank (AfDB) policies." In her presentation, Mayen Adetiba, GAMA Chair, echoed the Prime Minister's remarks in noting that a large percentage of infrastructure projects were being undertaken by foreign firms because local companies tended to be sidelined in bank-financed projects.



Other speakers at the conference, which attracted 120 participants from 15 African countries under the theme *The engineer as strategic partner*, mainly addressed the need for engineers to become more involved in the political debate and policy development. The message was reinforced by presentations (available at [www.fidic.org/gama](http://www.fidic.org/gama)) by Gregs Thomopulos and by Enrico Vink, FIDIC Managing Director, who noted the importance of infrastructure, the unprecedented recent stimulus packages, and the need for financial support and expertise to augment limited national resources in Africa. FIDIC presented a capacity building strategy that aimed to build upon FIDIC's successful International Training Programme by combining international expertise with local resources, an approach that is likely to be attractive to potential sponsors. Several development banks highlighted new opportunities for public/private investment at a special business opportunities workshop *Financing Africa's infrastructure tomorrow*. Many such initiatives are now coordinated through the Infrastructure Consortium for Africa ([www.icafrica.org](http://www.icafrica.org)).

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## Announcements - Notices

### Planning underway for a very special centenary conference [full item: 13No]

To mark its centenary in 2013 FIDIC is planning a very special version of its 2013 conference (Palais de Congressos, Barcelona; 16-18 September). The conference's main focus will be on ways to respond to the challenges the consulting engineering industry should expect in the coming decades. The aim will be to re-position FIDIC within the industry, and to make it more inclusive through greater engagement with strategic partners, notably organisations from client and other industry sectors, professional associations, the academic community, government agencies, development banks and aid agencies, civil society and the media. At its March 2010 meeting the FIDIC Centenary Conference Organising Committee, chaired by Geoff French, FIDIC Vice-President, and supported by colleagues from Spain, agreed that FIDIC should contact Member Associations for help in the planning of the conference. For instance, in order to fill out the 100-year history of the consulting engineering industry, associations will be asked to describe significant milestones. Meanwhile, Volker Cornelius, GSZ, Germany (upper photo), and William Howard, CDM, USA (lower photo), have agreed to co-chair the international programme committee.



### Business practice committee reviews tasks [full item: 15No]

The Business Practice Committee (BPC), like most FIDIC committees, holds many of its meetings online using the web-based BT LiveMeeting platform service organised by FIDIC. The next BPC online meeting in early-May will review progress on updating training manual modules, drafting a new Quality Based Selection brochure, completing a civil works supplement to the FIDIC Definition of Services Guidelines ([Building Construction](#)), finalising the contents of a new design for safety guide and considering some form of "client award".

### Capacity building activities to be reviewed [\[full item: 14No\]](#)

Recognising FIDIC's long-term commitment to capacity building, the broadened scope of its capacity building initiatives, and the inherent need for capacity building within all firms, a FIDIC capacity building task force was reconstituted as a committee several years ago, with Bayo Adeola from Nigeria as the chair. The committee has seen a rapid consolidation of FIDIC's training programmes. The main component is the International Training Programme that offers international training events organised or supplied by FIDIC accredited suppliers. There are events in several formats (seminars, workshops and courses) that cover the modules of the FIDIC contracts and business practice training manuals. The Capacity Building Committee (CBC) has helped oversee the training modules and coordinates their development with other committees responsible for contracts and business practice. The CBC has also helped in restructuring the seven-month Young Professionals Management Training Programme ([www.fidic.org/ypmtp](http://www.fidic.org/ypmtp)) so that the programme's cases build upon the FIDIC training modules.



Henning Therkelson from COWI, Denmark (see photo), has recently agreed to take over the CBC chair. The committee plans to review its terms of reference at meetings in conjunction with the FIDIC 2010 New Delhi Conference ([www.fidic2101.org](http://www.fidic2101.org); 19-22 September 2010) and to invite those interested in participating in CBC activities to attend an open forum. A preliminary review has indicated that priorities for an action plan may include: surveying at the association, industry and firm levels; initiatives to respond to requests from members for assistance on specific aspects of capacity building; the monitoring and review of international procurement practices; training module development; guidance on the development of international and regional training programmes including the pilot certification scheme to be launched in China (see [News item](#)).

### Members announcements [\[full item: 5No\]](#)

Updates Task Group, Budapest; 10-12 May 2010  
Executive Committee Meeting, Mexico City; 19-20 May 2010  
EFCA GAM and Conference, Rome; 27-29 May 2010  
Updates Task Group, Cologne; 14-16 Jun 2010  
Contracts Committee Meeting, Budapest; 24 Aug 2010

MA Letter 01/10: EFCA Agreement [PDF](#)  
FIDIC 2010 New Delhi Registration [Brochure](#)

### Executive Committee to meet in Mexico [\[full item: 16No\]](#)

The next FIDIC Executive Committee meeting takes place in Mexico City on 19-20 May 2010 in conjunction with the FEPAC-South America General Assembly and the conference celebrating CNEC-Mexico's 25th Anniversary (see [website](#)). The main items for discussion are the FIDIC Centenary Conference, the FIDIC-EFCA Agreement, arrangements for the FIDIC 2010 New Delhi Conference, and subscription fees.

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