

ドラフト

AJCE 主催
FIDIC 契約約款研修コース
プログラム

日時	講義内容
<p>第 1 日 12 月 3 日(月) 8:30-9:00</p> <p>9:00-17:00</p>	<p>受付</p> <p>開会の挨拶 AJCE 会長 廣瀬 典昭</p> <p>Module 1: Practical Use of the FIDIC Contracts FIDIC Contract Documents: Introduction and Principles</p> <ul style="list-style-type: none">• Introduction to the FIDIC organization• Background to FIDIC contracts• Structure of the documents• Preparation of Conditions of Contract• Risk Analysis• Which form to use?• Overview of the 1999 Contracts• The MDB Version & JICA SBD <p>Responsibilities of the Main Parties</p> <ul style="list-style-type: none">• General Provisions• The Employer• The Contractor• The Engineer• Nominated Subcontractors• Design
<p>第 2 日 12 月 4 日(火) 9:00-17:00</p>	<p>The Management of Projects</p> <ul style="list-style-type: none">• Staff and Labour• Plant Material and Workmanship• Commencement, Delays and Suspension• Tests on Completion• Employer's Taking Over; Defects Liability <p>Workshop exercise 1: Taking Over</p> <p>Financial Clauses and Procedures</p> <ul style="list-style-type: none">• Construction Contract: Measurement and Evaluation• Variations and Adjustments• Contract Price and Payment <p>Risk, Force Majeure and Termination</p> <ul style="list-style-type: none">• Risk and Responsibility• Liability and Insurance• Termination by Employer• Suspension and Termination by Contractor• Force Majeure• Claims, Disputes and Arbitration

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日時	講義内容
<p>第3日 12月5日(水) 9:00-17:00</p>	<p>Module 2: Management of Claims and the Resolution of Disputes</p> <p>Managing Variations</p> <ul style="list-style-type: none"> • Contract definitions • Timing and authority to issue Variations • Variations covered by Clause 13 and related Clauses • Initiation and instruction of variations • The Contractor's rights and obligations • Practical Management Suggestions • Avoiding typical claim issues related to Variations <p>The Management of Claims</p> <p>Notices and Claims Procedures</p> <ul style="list-style-type: none"> • Clauses requiring notices by the Contractor • Employer's/ Engineer's Claims, Sub-Clause 2.5 <p>Contractor's Claims Sub-Clause 20.1</p> <ul style="list-style-type: none"> • Notification of claims • Contemporary records • Preparation of claims • Engineer's assessment and principles of claim • Engineer's valuation • Engineer's determination, Sub-Clause 3.5 <p>Claims for Delay</p> <ul style="list-style-type: none"> • Extension of time, Sub-Clause 8.4 and 8.5 • Force Majeure, Sub-Clause 19.4
<p>第4日 12月6日(木) 9:00-16:30</p> <p>16:30-16:40 16:40-16:50</p>	<p>Claims for Delay</p> <ul style="list-style-type: none"> • Delay damages <p>Claims for Additional Payment</p> <ul style="list-style-type: none"> • Ground Conditions, Sub-Clause 4.12 • Late possession, Sub-Clause 2.1 • Breaches of Contract <p>Employer's Financial Claims</p> <ul style="list-style-type: none"> • Delay damages • Defects in the works and/or design <p>Retention and bonds</p> <p>The Resolution of Disputes</p> <p>Dispute Adjudication Boards (DABs)</p> <ul style="list-style-type: none"> • Dispute Adjudication Board principles • Dispute Adjudication Board working • Post-DAB decision processes <p>Workshop Exercise No.2- Notices Workshop exercise No.3- Variations</p> <p>The Resolution of Disputes</p> <p>Arbitration Claims (Not to be presented – materials only)</p> <ul style="list-style-type: none"> • ICC Rules • Selecting arbitrators • Use of experts <p>終了証授与 : Geoffrey Smith 講師 閉会の挨拶 : Geoffrey Smith 講師</p>

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講師 プロフィール Geoffrey Smith



Mr. Geoffrey Smith is the Accredited Trainer of FIDIC, Chartered Engineer, Fellow of the Chartered Institute of Arbitrators, Barrister, Bar of England & Wales, Accredited Mediator & Conciliator, Member of the Society of Construction Law, Member of the Disputes Resolution Board Foundation, Member of the International Bar Association, and possesses diploma in Law and Accounting. Since his graduation as a civil engineer in 1975, he has worked in civil and infrastructure projects as contract manager, senior contract manager and operation director in Asia, Africa and Europe. His experience in litigation and arbitration covers globally, many in Asian countries. As an accredited trainer of FIDIC, he has conducted FIDIC Contracts Trainings for government entities in Europe, Middle East, South-East Asia