

# The FIDIC-ARIC-EFCA Regional Infrastructure Conference Bucharest, Romania - 12/13 March 2015

FIDIC-ARIC -EFCA Regional Infrastructure Conference,  
12-13 March 2015, Hilton Hotel, Bucharest

## Background

The first FIDIC-ARIC-EFCA Regional Infrastructure Conference will look closely at the implementation of FIDIC contracts in a market mainly regulated by public law. As reference it will explore the new EU Procurement Directives, and their practical use in the market, with a focus on investment in infrastructure.

Located centrally in Romania, a major recipient of EU funding, the conference will share experiences learnt, and compare these with other neighbouring EU member states and non-member states interested in best practice procurement, and the effective use of FIDIC contracts.

## Business Programme

### Day One – Morning FIDIC AND PUBLIC PROCUREMENT

#### 8:30 – 13:00

#### Morning sessions

8:40 – 8:55

Welcome and Opening speech

9:00 – 9:40

The New EU Procurement Directives

9:45 – 10:30

Transposition of the Directive in Romania – ANRMAP (state procurement agency)

#### 10:30 – 10:45 coffee break

10:45 – 11:10

Experience from Romania and other EU States on existing procurement legislation

11:15 – 11:40

Current Use of FIDIC under the EU Procurement Rules

11:45 – 12:20

EU Procurement Rules and their impact on FIDIC contracts - current and new directives

12:25 – 12:55

EU funding for infrastructure in EU Member States)



#### Programme coordinated by:

International Federation of Consulting Engineers (FIDIC)

Romanian Association of Consulting Engineers (ARIC)

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## Day One – Afternoon

### FIDIC – DIFFERENT LAW SYSTEMS APPROACH – NEW RULES

- 14:00 – 14:15 An outline of the main FIDIC Contracts
- 14:20 – 14:40 (1) Modifying FIDIC: implications; Pros and Cons – general aspects  
(2) What and when can still be added to or modified without distorting equilibrium and current principles and philosophy of FIDIC
- 14:45 – 15:25 Comparison civil - Anglo-Saxon law
- 15:30 – 15:45 Coffee break**
- 15:50 – 16:45 Discussions on application in other EU States ;
- 16:50 - 17: 15 (1) Romanian Law provisions for use of FIDIC contracts– accommodating such – lessons learnt;  
  
(2) Licensing of FIDIC in National situations – including translation, adaptation and harmonization with National legislation

## Day Two – Morning – MANAGEMENT OF CLAIMS, PREVENTION AND RESOLUTION OF DISPUTES

- 8:45 – 9:20 Variation Orders;  
Contract value v. Price;
- 9:25 – 10:25 Claims Management;
- 10:30 – 10:45 coffee break**
- 10:45 – 11:25 (1) DAB provisions in FIDIC; DAB appointments – the importance of properly trained and assessed adjudicators; + case study/ies;  
(2) DAB standing vs ad-hoc applicability in EU countries under EU procurement rules  
(3) DAB decisions upheld in arbitration – DAB a cheaper and faster way to deal with disputes
- 11:30 – 12:10 Adjudication – application, use of adjudication in EU States, arbitration provisions
- 12:15 – 12:45 DAB in action (mock hearing)



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## Day Two – Afternoon

14.00 – 14.20

14.25 – 14.55

### **Integrity –**

General aspects;

Abnormal prices bids

15.00 – 15.20

### **Training**

Training on FIDIC contracts. Accredited training. The Romanian experience.

### **15.20 – 15.35 Coffee break**

15.40 - 16.00

Training experience from other EU States.

16.05 – 16.45

### **Use of FIDIC in CIS States**

Experience from CIS states

16.45 – 17.00

### **Conclusion**

Summary of key issues; action items; way forward



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