Main Features of the revised FIDIC Conditions
Agenda

- Aisha: Introduction
- Tony: Significant changes
- Bernd: Claims and dispute-related provisions
The FIDIC 2017 Update (first Ed 1999):

- Red Book – Conditions of Contract for Construction for Building and Engineering Works Designed by the Employer
- Yellow Book 1999 – Conditions of Contract for Plant and Design Build, for Electrical and Mechanical Plant, and for Building and Engineering Works Designed by the Contractor
- Silver Book 1999 – Conditions of Contract for EPC/Turn Key Projects
The 2017 FIDIC Rainbow Suite
What Remains the Same

• Balanced - Seen as generally fair apportioning of risks, rights and obligations between parties (not Silver Book)
• Accepted - In wide use for international contracting
• Adaptable - General conditions and particular conditions
• Supported - Recommended or required by Multilateral Development Bank Standard Bidding Documents
• Continuity - Long term use gives familiarity and degree of certainty
• Proactive - Dispute avoidance and early resolution focused
The 2017 FIDIC Rainbow Suite
Philosophy Underpinning Updates

- Enhanced project management ‘tools’/machinery
  - Engineer’s role and responsibilities defined and clear
  - Achieve clarity, transparency and certainty
- Balanced risk allocation
- Reciprocity between the Parties
- Capture current international state of the practice
  - Address issues/comments raised
  - Lessons learned from the globe – FIDIC’s users
- Incorporate recent developments in FIDIC contracts
The 2017 FIDIC Rainbow Suite
The Sources for the Updates

- Contract User’s feedback
- Gold Book, 2008
- Pink Book’, 2010
- Special Advisors’
- Friendly reviewers’ feedback
  - 2015 Yellow Book
  - 2016 Red, Yellow and Silver
  - Employers, Contractors, Engineers, construction lawyers, institutions, professional organisations, governmental agencies, equipment suppliers
Aisha Nadar
Member, FIDIC Executive Committee
Adjudicator, FIDIC’s President’s List
Chair, Procurement Policy Sub-Committee

Advokatfirman Runeland AB
Sturegatan 12
SE-11436 Stockholm
Sweden
T: +46 725 765 510
E: aisha.nadar@runelandlaw.se