

FIDIC Middle East Contract Users' Conference

Dubai,
24-27 February 2020

Arbitration & Alternative
Dispute Resolution

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International Federation of Consulting Engineers
The Global Voice of Consulting Engineers



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Equity for parties, barring

14 days Notice by the Engineer to give a notice after the barring
28 days

If the Engineer did not give such Notice then the Party Notice
deemed valid Notice then he shall issue a Notice to the Engineer
with reasons

The Engineer shall issue a Determination with a review of such
disagreement



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Detailed Particular

To be submitted within 84 days rather than 42 day

Include a detailed description of the event or circumstance giving rise to the claim;

Include a statement of the **contractual** or legal basis for the claim;

Include all contemporary records on which the claiming party relies; and

Include detailed supporting particulars of the amount of additional payment (or reduction in the contract price if the employer is the claiming party), extension of time or extension of the defects notification period claimed.



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Detailed
Particular

20.7, concept of prevention & prejudicing of the Engineer proper investigation due to delayed detailed Claim submission



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DAAB

In 2017 standing, ad hoc?



More emphasizing on the avoidance concept



Parties can ask DAAB for informal assistant in a meeting/site visit but jointly



Resolving any dispute spark timely



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Binding/binding &
final

If party did not failed
to comply with
DAAB decision then
other party may
refer the failure to
arbitration

Referral to arbitration
is without prejudice
to any other rights

Arbitral tribunal shall
have the power to
order interim
measures/award(as
may be appropriate
under applicable
law)



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Binding/binding & final, then
arbitral tribunal will order interim
award/provisional measure subject
to reservation.



Such interim award/measure may
include an order or award of
damages or other relief