

# FIDIC Middle East Contract Users' Conference

Dubai,  
24-27 February 2020

What The Contracts  
Committee is Currently  
Working on & Pipeline

By: *Zoltán Záhonyi*

Past chairman of the FIDIC CC  
FIDIC Accredited International Trainer  
MD, **Z & Partners Consulting Engineers Ltd.**  
[zoltan.zahonyi@zandpartners.com](mailto:zoltan.zahonyi@zandpartners.com)



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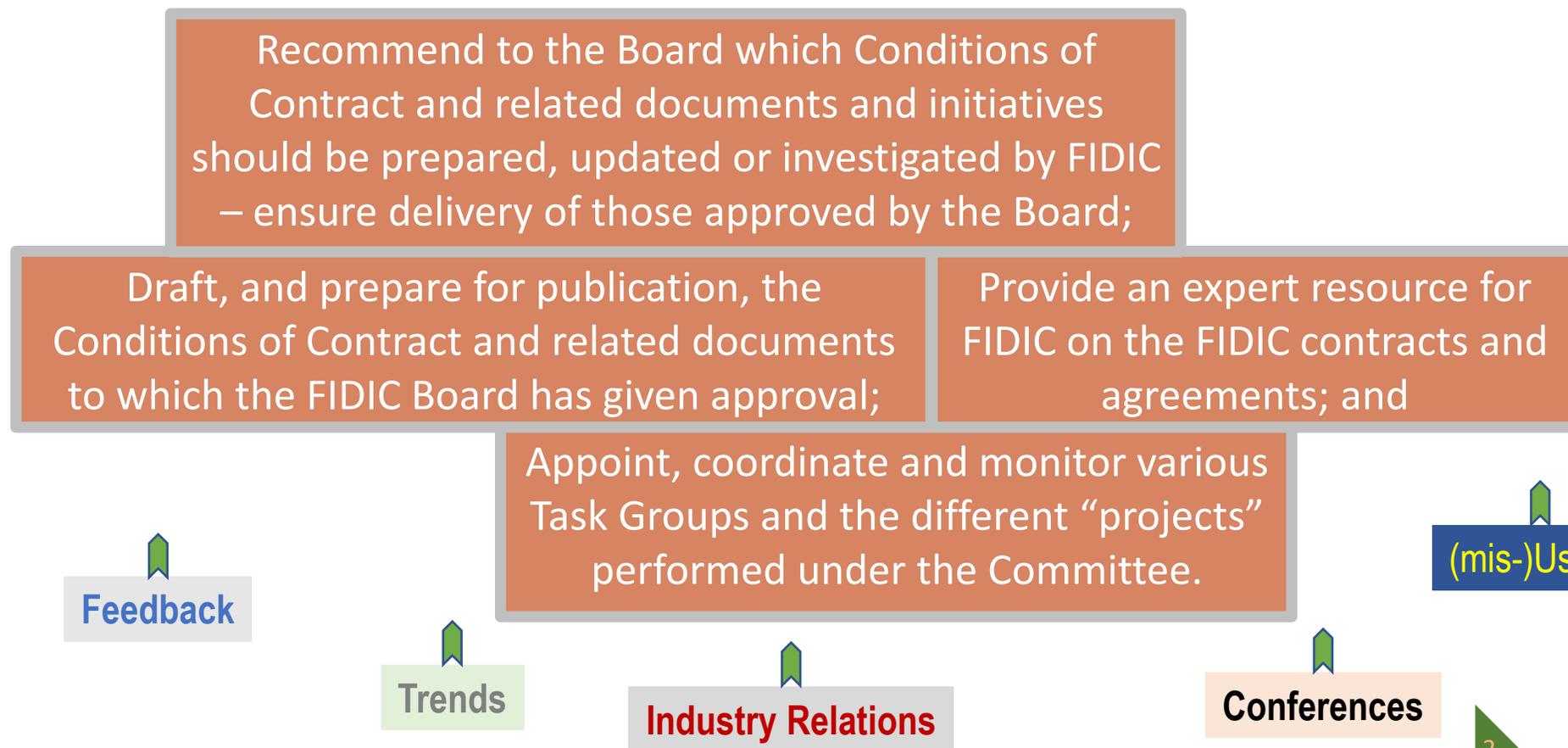


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## The FIDIC Contracts Committee [CC]:

...is a working and **advisory committee** of FIDIC appointed by the FIDIC Board, whose primary functions include:





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## Current members of-, and contributors to the FIDIC Contracts Committee:

### FIDIC Board Liaisons:

- » Aisha Nadar [SWE] (*primary*);
- » Sarwono Hardjomuljadi [IDN] (*secondary*).

### Advisers:

- » Christopher R. Seppälä [FRA];
- » Nael G. Bunni [IRL];
- » Axel-V. Jaeger [GER];

### EFCA Liaison:

- » To be Named

### Chairman:

- » Vincent Leloup [FRA]

### Members:

- » Siobhan Fahey [IRL];
- » Des Barry [IRL];
- » Deryl L. Earsom [USA];
- » Matthias Neuenschwander [SUI];
- » Adam Bialachowski [POL];
- » Kiri Parr [AUS];
- » Peter Collie [GBR];
- » Husni Madi [JOR];
- » Zoltán Záhonyi [HUN].

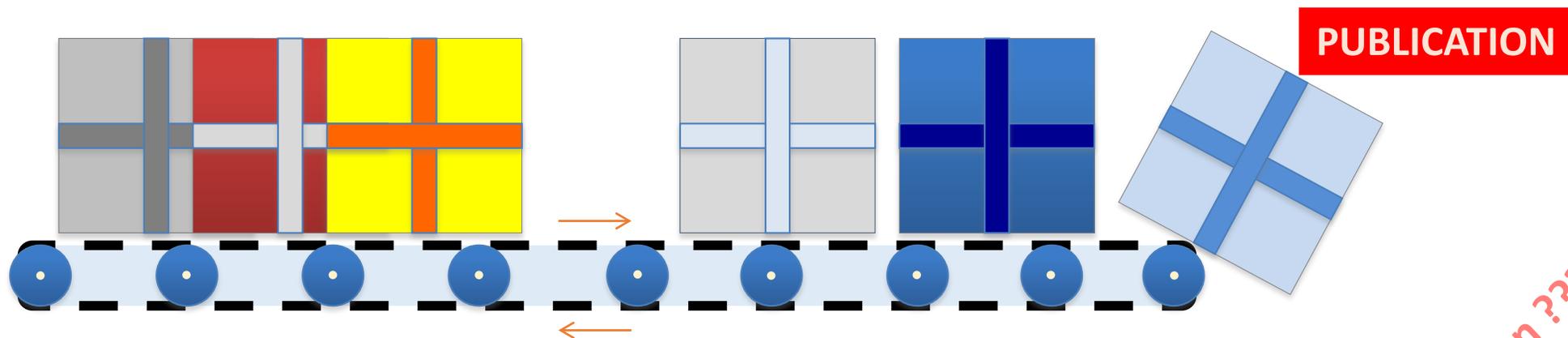




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## Behind the Curtains – Major Stages of the FIDIC CC Assembly Line:



~1.5 to 4+ years (!)

Test Edition ???





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**Recent FIDIC Publications** released with the support of the Contracts Committee:

Dredging and Reclamation Works (Dredgers Contract; Second Edition, 2016)



The **NEW Services Agreements Family (2017)** including:

Client/Consultant Model Services Agreement 5th Ed (2017 White Book)

Sub-Consultancy Agreement 2nd Edition (2017)

Model Joint Venture (Consortium) Agreement 2nd Edition (2017)





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**Recent FIDIC Publications** released with the support of the Contracts Committee:



Second Editions (2017) for **Construction**, **Plant & Design-Build** and EPC Turnkey Forms

Conditions of Contract for **Underground Works**  
FIDIC – ITA (1<sup>st</sup> Ed. May 2019)



The FIDIC Golden Principles (1<sup>st</sup> Ed. June 2019)



Conditions of Subcontract for **Plant and Design-Build** (1<sup>st</sup> Ed. December 2019)



The Major FIDIC  
"products" in 2019:





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## Currently Active Task Groups of the Contracts Committee:

### Task Group [TG]

**TG 4:** Consultancy Agreements – Suite of Agreements **Guide**

**TG 6:** 2017 Red-, Yellow- and Silver Book Contracts **Guide**

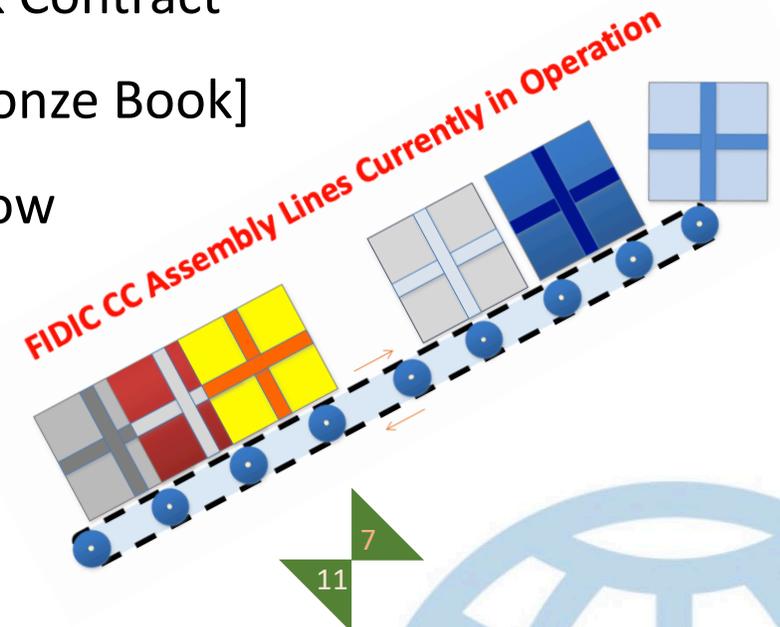
**TG 8:** **Update** of the Short Form of Contract [Green Book]

**TG 10:** **Guide** for the Tunnelling and Underground Work Contract

**TG 11:** Operate, Design-Build and Operate **Contract** [Bronze Book]

**TG 14:** Standard Particular Conditions “**Plug-In**” for Yellow Book covering Renewable Energy Projects

+ further two TGs covering other “projects”





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## The Green Book Update – teaser

### General Objectives Considered

#### The update of the FIDIC Green Book:

- \* should meet the current demand of the international construction industry for projects where
  - » the perceived level of *risk is low*, and/or
  - » where construction parties wish to use a form which is *simple of use* and does *not require significant contract administration and management* resources.

**NOTE:**

Important change in the “selling point”!

- \* to be positioned as an alternative to the 2017 FIDIC Red and Yellow Book Contracts for the project situations mentioned above, and no longer be represented as dedicated to only short duration and/or limited capital value projects.

**HOWEVER:** The Green Book Update is not meant to be a replacement for the 1999 Red-, Yellow- or Silver Book!

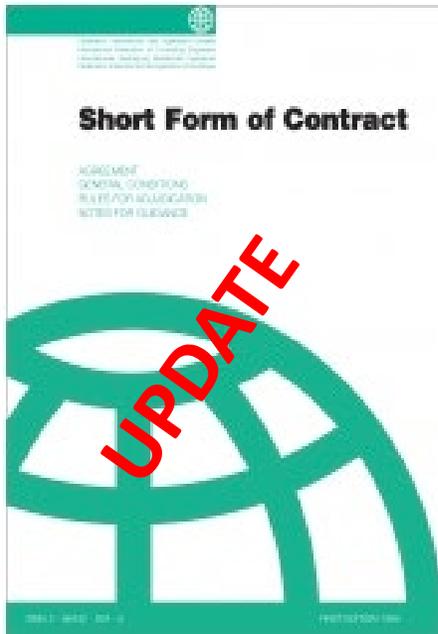




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## The Green Book Update – teaser



- ... should stay short in text, with **short and clear** provisions / sentences which **are easy to understand** for practitioners;
- ... **capturing the essential rights and obligations** of the Parties, and disregarding/not retaining obligations which are considered secondary and/or better placed elsewhere in the Contract;
- ... the contractual machinery **shall not be overly sophisticated / complex** –» **simplicity** should prevail;
- ... should comply with the **philosophy and terminology**, where relevant and applicable for the Green Book, developed under the **2017 update** of the Red and Yellow Books.





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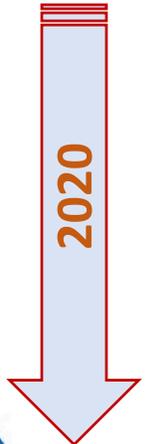
## What is in the Pipeline? – Summary of 2019 & Expectable Near-Future New FIDIC Releases



Conditions of Contract for Underground Works “The Emerald Book” ✓

The FIDIC Golden Principles ✓

Conditions of Subcontract for Plant and Design-Build [1999 Yellow Book Subcontract] ✓



FIDIC 2017 Contracts Guide

Conditions of Contract for Design, Build and Operate Projects for the Upgrading of Existing Facilities “The Bronze Book” «– Test Edition (?)

Short Form of Contract (The Green Book Update)

⋮

Guide for the 2017 Suite of Agreements



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**Thank You for  
Your Kind Attention!**

*Zoltán Záhonyi*

[www.zandpartners.com](http://www.zandpartners.com)

[zoltan.zahonyi@zandpartners.com](mailto:zoltan.zahonyi@zandpartners.com)



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