

# FIDIC Middle East Contract Users' Conference

Dubai,  
24-27 February 2020

Arbitration & Alternative  
Dispute Resolution

[Jed Savager - PINSENT MASONS](#)

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International Federation of Consulting Engineers  
The Global Voice of Consulting Engineers



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Equity for parties, barring

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

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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

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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.



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

