
FIDIC Claims Procedure Training: Time Bars, Engineer Determinations and DAAB

1 – 5 March 2027
Madrid





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Programme Summary

FIDIC claims procedure, from the first Notice of Claim through Engineer determinations to DAAB referral, is the subject of this one-week training course for senior contract leaders at advanced level, culminating in a claims procedure playbook for a live project. Entitlement is now won or lost on notices, records and deadlines, so Employer and Contractor teams need people who run the procedure with discipline. The approach compares the First and Second Editions, then works through each procedural gate. Mars Training Centre UK delivers this programme in FIDIC claims procedure.

The Business Case

A missed 28-day notice or an unanswered determination can turn a sound claim into a lost one, or let a weak claim become final and binding. Organisations that manage the procedure as a controlled process protect entitlement and resolve most disagreements before they harden into formal disputes.

- Time-Barred Entitlement: Falls as notice triggers and contemporary records are managed against each deadline.
- Disputes Escalated to Arbitration: Fall as consultation and the DAAB's avoidance role are used early.
- Management Time Spent on Disputes: Drops as referrals follow a prepared, repeatable route.

Principles and Evidence Base

- FIDIC Second Edition Red, Yellow and Silver Books: The reorganised Clause 20 and Clause 21 provide the procedural spine for Sessions 2 to 5.
- FIDIC First Edition: Its Sub-Clause 20.1 notice and Dispute Adjudication Board are compared in Session 1.
- Sub-Clause 3.7 Agreement or Determination: The Engineer's neutral duty to consult and determine frames Session 3.
- ICC Rules of Arbitration: The default arbitral route under Sub-Clause 21.6 shapes the escalation planning in Session 5.

Intended Participants

- Directors who sign off claims strategy on major FIDIC contracts.
- Contracts and commercial managers who issue, receive and respond to Notices of Claim.
- Engineers and Employer's representatives who must consult and make determinations.
- Claims and legal advisers who prepare or defend referrals to a DAAB.

The programme serves Employer organisations, contractors and consulting engineers in infrastructure, energy, water and building projects.



Learning Outcomes

1. Participants will be able to compare the claims provisions of the First and Second FIDIC Editions.
2. Participants will be able to construct a Notice of Claim and a fully detailed claim that meet the Sub-Clause 20.2 time limits and content rules.
3. Participants will be able to evaluate whether a late notice may be excused under Sub-Clause 20.2.5.
4. Participants will be able to prepare submissions for, or conduct, a Sub-Clause 3.7 consultation and determination.
5. Participants will be able to diagnose when to issue a Notice of Dissatisfaction and justify a DAAB referral strategy.
6. Participants will be able to prioritise settlement and arbitration options against cost and time.

Programme Structure

Day 1: FIDIC Claims Architecture Across the First and Second Editions

Which provisions govern a claim, and what changed between editions?

- Rainbow Suite Structure: Red, Yellow and Silver Books
- Employer and Contractor Claims Under the Second Edition Clause 20
- Sub-Clause 20.1 and the First Edition Dispute Adjudication Board Route
- Particular Conditions That Alter Claims Procedure
- Claims Procedure Map for the Participant's Contract

Day 2: Notices, Records and Time Bars

How is entitlement protected from the first day a claim event arises?

- Sub-Clause 20.2.1 Notice of Claim and the 28-Day Trigger
- Sub-Clause 20.2.3 Contemporary Records and Monitoring
- Sub-Clause 20.2.4 Fully Detailed Claim Within 84 Days
- Sub-Clause 20.2.5 Review of Late Notices
- Notice Register and Correspondence Control Tools

Day 3: Engineer Agreement and Determination

How should the Engineer consult, decide and record a fair determination?

- Neutrality Duty of the Engineer Under Sub-Clause 3.7
- Forty-Two-Day Consultation Period and Agreement Attempts
- Reasoned Determination Content and Timing
- Notice of Dissatisfaction Within 28 Days
- Engineer Determination Drafting Exercise



Day 4: Dispute Avoidance and Adjudication Board Procedure

How are disputes avoided, referred and decided by the DAAB?

- Standing DAAB Appointment and Membership
- Sub-Clause 21.3 Informal Avoidance of Disagreements
- Sub-Clause 21.4 Referral, Submissions and Hearings
- DAAB Decision Within 84 Days and Its Binding Effect
- Sub-Clause 21.7 Failure to Comply With a DAAB Decision

Day 5: Applying FIDIC Claims Procedure From Notice to Arbitration

Is the project's claims procedure playbook ready for use?

- Sub-Clause 21.5 Amicable Settlement Strategy
- Sub-Clause 21.6 Arbitration and Case Readiness
- Applying the Day 2 Notice Register to a Live Claim Event
- Testing the Day 3 Determination and Day 4 Referral Against a Case
- Completing the Claims Procedure Playbook

Methodology

The programme uses case analysis built on one construction case that moves through every procedural gate. Participants issue notices, act as the Engineer in a consultation, prepare a DAAB referral and assess settlement options. Material is drawn from transport, power and water projects.

- Suggested activity: Testing a set of site correspondence for missed notice triggers.
- Suggested activity: Conducting a role-play consultation and drafting the Engineer's reasoned determination.
- Suggested activity: Presenting and challenging a short referral before a mock DAAB.

Capstone Output

Each participant completes a claims procedure playbook for a current or recent project. It contains a provisions map, a notice and records register, a determination response protocol, a DAAB referral checklist and an escalation decision tree, used to brief site staff and set approval routes.

Frequently Asked Questions

Is FIDIC claims procedure training suitable for experienced contract leaders?

Yes. It is set at advanced level and assumes working knowledge of the FIDIC General Conditions.



Which FIDIC editions does the claims procedure programme rest on?

It rests on the FIDIC Second Edition books, compared with the First Edition.

How is the FIDIC claims procedure playbook used at work?

You can use it to assign who drafts and approves notices and to decide when a DAAB referral is justified.

How does FIDIC claims procedure training differ from a general claims course?

It covers the route of notices, determinations and adjudication, not delay analysis or pricing.