



جمعية المهندسين البحرينية - مركز التدريب  
Bahrain Society of Engineers - TRAINING CENTRE

7 - 9

JUNE

2026

Bahrain



## 3 Day Course on **Claims and Counterclaims under FIDIC Contracts**

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# Course Overview

Claims and counterclaims are an unavoidable feature of large construction and engineering projects. As project scale and complexity increase, so too do the frequency, value, and contentiousness of disputes.

This Three Day Course on Claims and Counterclaims under FIDIC Contracts provides in depth training on contractors' and employers' claims. It will unpack why claims arise and why many fail or achieve only marginal success at best.

The course covers the entire claim lifecycle: from understanding variation, delay, and disruption claims, to drafting compliant notices, evaluating available methods for delay and disruption analysis and selecting the most appropriate method for each claim.

While claims cannot be entirely eliminated, they can be effectively controlled or even avoided through early identification, rigorous planning, and strict adherence to FIDIC's procedural requirements. Accordingly, the course will provide insight into proactive claim prevention.

Since Employers' claims are not uncommon, the course will explore the contractual and legal basis for such claims, examine common scenarios and demonstrate how to properly compile and quantify these claims as well as how a contractor may respond to them when they arise.

As disputes may arise in unfortunate situations, the course will address FIDIC's multi-tiered dispute resolution mechanism from DAAB referrals and mediation to arbitration and the enforcement of mediated agreements and arbitral awards.

Although the course content is primarily anchored in the FIDIC Red Book, the course will address the distinct claims and counterclaims provisions across other FIDIC Books. A special session will highlight key differences in the Yellow, Silver, Gold, Green, and Blue Books.

## Target Audience:

The course is intended for:

- Architects, site engineers and resident engineers
- Quantity surveyors and cost engineers.
- Contracts and Project Managers
- Lawyers and Legal advisors
- Planning engineers
- Mediators and Arbitrators

## Learning Outcomes

By the end of this course, participants should be able to:

- Understand the FIDIC contractual framework, including key differences in claims provisions across the Red, Yellow, Silver, Gold, Blue, and Green Books.
- Identify the legal and contractual foundations of claims and counterclaims, including risk allocation and common causes of claims.
- Prepare, substantiate, and present a robust claim and avoid pitfalls that may cause a claim to fail.
- Evaluate and respond effectively to a Contractor's or Employer's claim.
- Implement effective claim management processes and apply proactive strategies for claim prevention and risk mitigation.
- Understand the full spectrum of FIDIC dispute resolution mechanisms, including DAABs, mediation and arbitration, as well as the enforcement of mediated agreements and arbitral awards.

# Course Agenda

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## DAY ONE

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- 8.30-9.00** : **Registration**
- 9.00- 10.30** : **Introduction and Contractual and Legal Framework**
- Overview of FIDIC
  - Main legal systems and impact on FIDIC
  - Overview of the main features of the different forms (Red, Yellow, Silver, Green, Gold and Blue)
  - Clauses relevant to claims
  - Roles and responsibilities of the employer, contractor and engineer
- 10.30-11.00** : **Coffee Break**
- 11.00 -12.30** : **Legal and Contractual Concepts and Principles**
- Allocation of risk
  - Common causes of claims
  - Contractual and legal basis governing claims
  - Types of claims
- 12.30-13.30** : **Lunch**
- 13.30-14.45** : **Variation Claims**
- Understanding variations under FIDIC Contracts
  - Raising a variation claim
  - Compiling the variation claim
  - Procedures for valuing variations
  - Illustration of variation claims
- 14.45-15.15** : **Coffee Break**
- 15.15-16.30** : **Delay and Disruption Claims**
- Grounds for extension of time
  - Concurrent delays: Analysis and apportionment
  - Methods for delay analysis and quantification
  - Disruption claims
  - Methods for disruption analysis and quantifying disruption

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## DAY TWO

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- 8.30-10.30** : **Mandatory Notices Required for Claims**
- Specific notice requirements
  - Format and content of a notice of claim
  - Consequences of failing to provide timely notice
  - Subsequent steps for submission of a fully detailed claim
  - Notice drafting practical exercise
- 10.30-11.00** : **Coffee Break**
- 11.00-12.30** : **Counterclaims (Employer's Claims)**
- What are counterclaims
  - Contractual and legal basis for counterclaims.
  - Examples of counterclaims
  - Interplay between claims and counterclaims
  - Compiling the counterclaim
  - Calculating quantum of a counterclaim
- 12.30-13.30** : **Lunch**
- 13.30-14.45** : **Claim Management Processes**
- Contractual procedures for raising claims
  - Available software tools for claims management

- Documentation and record keeping
- Role of the Engineer in claim assessment
- Responding to claims including requesting further particulars
- The Engineer's determination and its binding nature

**14.45-15.15 : Coffee Break**

**15.15-16.30 : Preparing an Effective Claim**

- Selection of an appropriate method for delay analysis (Impacted As-Planned, Time Impact, As Planned v. As-Built and Collapsed As-Built)
- Selection of an appropriate method for disruption claim analysis
- Components and computations of a robust claim for variations, prolongation and disruption
- Claims for wrongful termination
- Common pitfalls and how to avoid them
- Analysis of a real claim exercise

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## DAY THREE

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**08.30.00-09.30 : Unique Claims Related Clauses and Differences Across the FIDIC Books**

- Navigating differences in claims provisions across FIDIC Books (Red, Yellow, Silver, Green, Gold, and Blue)
- Practical implications of form specific risk allocation

**09.30-10.30 : Claim Prevention and Risk Management**

- Proactive contract administration and strategies for claims avoidance
- Early risk identification and mitigation strategies

**10.30-11.00 : Coffee Break**

**11.00-12.00 : Dispute Resolution**

- Dispute resolution clause
- Dispute Avoidance and Adjudication Board
- Mediation
- Arbitration
- Other ADR Methods

**12.00-13.00 : Enforcement of Mediated Agreements and Arbitration Awards**

- Enforcing the mediated settlement agreement under domestic Law and internationally under the Singapore Convention
- Enforcing the arbitration award under domestic Law and Internationally under the New York Convention
- Challenging the enforcement of a mediated agreement
- Challenging the arbitration award and its enforcement

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**Certificate:** A certificate of completion will be awarded to participants who attend all the course sessions.

**Venue:** The course will be held at the Training Center of the Bahrain Society of Engineers.

**Fees:** BD 360.00 (US\$ 955.00) inclusive of VAT.

## Registration

Please preregister by scanning here



**Further Information:** For further information, please contact Dr. Jameel Al Alawi, Tel. No. +973 39603449

## Course Faculty

**Amel Alaseeri** is an international arbitration practitioner with over 20 years' experience in private practice. She regularly acts as arbitrator and counsel in high-value, complex, international commercial disputes across a broad range of industry sectors and areas of law, in particular, real estate development, construction (including FIDIC), infrastructure and renewables.

She currently serves as a Court Member of the ICC International Court of Arbitration and is a Member of the ICC Commission on Arbitration and ADR. She is a Board Member of the ICC Bahrain National Committee and Chair of its Lawyers Committee. She is also an Officer of the Arab Regional Forum of the International Bar Association .

**Abdullah Al Bash** is a Technical Director at the Dubai office of Diales, an international construction claims advisory firm. He is a qualified Civil Engineer with a Master's degree in Construction Law and Arbitration, and over 19 years of experience in project planning, forensic delay analysis, and claims management across the UAE, Qatar, Oman, and Saudi Arabia.

His experience spans major projects across the Middle East, Asia, Africa, and Europe, including rail, airports, healthcare, mixed-use, energy, and water sectors. He is a Project Management Professional (PMP), Risk Management Professional (RMP) and a Registered Expert Witness and Certified Expert Determiner with the Royal Institution of Chartered Surveyors (RICS).

**Cheryl Cairns** is a partner in the Dubai office of Trowers & Hamlins law firm and leads its international construction practice across the MENA region. Cheryl has over 20 years' experience in the construction sector advising employers, contractors, subcontractors and suppliers on claims arising throughout the life cycle of major construction and infrastructure projects, which include rail, aviation and oil and gas sectors.

Cheryl advises clients on procurement issues, amendments to redress the balance of risk in standard form (in particular FIDIC) and bespoke building contracts, consultancy agreements and forms of ancillary security relating to significant international infrastructure and development projects. Cheryl is a Fellow of the Chartered Institute of Arbitrators.

**Tahseen Saleh** is an accredited FIDIC trainer with a distinguished track record in the construction sector. He has conducted more than 55 training courses worldwide, including numerous FIDIC accredited programs, and has been involved in over 50 arbitration cases giving him deep practical insight into dispute resolution and contract management.

He is the Owner and CEO of Ola Management Consultant, with operations in Canada and Qatar. Prior to establishing Ola Management, he held senior leadership roles at prominent construction engineering and management consultancy firms responsible for the execution of large scale, complex infrastructure projects. A seasoned civil engineer, Tahseen has extensive experience across a broad spectrum of projects, including bridges, dams, highways, and buildings.

**Dr. Jameel Alalawi** is a qualified lawyer and civil engineer with over 40 years of experience in construction disputes. He served for 17 years as Senior Legal Advisor at Bahrain's Economic Development Board (EDB) and previously as Director of Treaties and Agreements at the Legislation and Legal Opinion Commission (formerly the Directorate of Legal Affairs).

He served as an expert appointed by Bahraini courts in well over 100 cases, an arbitrator in a large number of construction disputes and as a tribunal member in numerous cases at the Bahrain Chamber for Dispute Resolution (BCDR). Dr. Alalawi is a Fellow of the Chartered Institute of Arbitrators.