



**(1999 )**

**(2006)**



(1999 )

**CONDITIONS OF CONTRACT FOR  
CONSTRUCTION (FIDIC 99)**

**2006**

# الشروط العامة

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87	:" "		3.20
87	)		4.20
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89	:" "		7.20
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**GENERAL PROVISIONS**

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**Definitions " : .1..1**

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**" The Contract " : 1.1.1**

**" Contract " : 1.1.1.1.**

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**" Contract Agreement " : 2.1.1.1.**

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**" Letter of Acceptance " : 3.1.1.1.**

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**" Letter of Tender " : 4.1.1.1.**

**" Specifications " : 5.1.1.1.**

**" Drawings " : 6.1.1.1.**

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**" Schedules " : 7.1.1.1.**

	" Tender " :	8.1.1.1.
	" Appendix to Tender " :	9.1.1.1.
	" " "	
	" Bill of Quantities " :	10.1.1.1.
	" Daywork Schedule " :	
	" " ( )	
	" Parties And Persons " :	2.1.1
	" Party " :	1.2.1.1.
	" Employer " :	2.2.1.1.
	" Contractor " :	3.2.1.1.
	( )	
	" Engineer " :	4.2.1.1.
	(4/3)	
(3/4)	" Contractor's Representative " :	5.2.1.1.
	" Employer's Personnel " :	6.2.1.1.
	(2/3)	
	" Contractor's Personnel " :	7.2.1.1.
	" Subcontractor " :	8.2.1.1.

	" DAB " :	9.2.1.1.
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	" FIDIC "	10.2.1.1.
	" Dates, Tests, Periods and Completion " :	3.1.1
	" Base Date " :	1.3.1.1.
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	" Commencement Date " :	2.3.1.1.
	(1/8)	
	" Time for Completion " :	3.3.1.1.
	(2/8) ( )	
	(4/8)	
	" Tests on Completion " :	4.3.1.1.
	) " "	
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	" Taking - Over Certificate " :	5.3.1.1.
	" "	
	" Tests after Completion " :	6.3.1.1.
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	"Defects Notification Period" :	7.3.1.1.
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	(3/11)	
	(1/10)	
	" Performance Certificate " :	8.3.1.1.
	(9/11)	
	" day " :	9.3.1.1.
	(365)	

	<b>" Money And Payments " :</b>	<b>4.1.1</b>
	<b>" Accepted Contract Amount " :</b>	<b>1.4.1.1.</b>
	" "	
	<b>" Contract Price " :</b>	<b>2.4.1.1.</b>
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	<b>" Cost " :</b>	<b>3.4.1.1.</b>
	<b>" Final Payment Certificate " :</b>	<b>4.4.1.1.</b>
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	<b>" Final Statement " :</b>	<b>5.4.1.1.</b>
	(11/14)	
	<b>" Foreign Currency " :</b>	<b>6.4.1.1.</b>
	( )	
	<b>" Interim Payment Certificate " :</b>	<b>7.4.1.1.</b>
	" "	
	<b>" Local Currency " :</b>	<b>8.4.1.1.</b>
	<b>" Payment Certificate " :</b>	<b>9.4.1.1.</b>
	" "	
	<b>" Provisional Sum " :</b>	<b>10.4.1.1.</b>
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	<b>" Retention Money " :</b>	<b>11.4.1.1.</b>
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	(9/14)	
	<b>" Statement " :</b>	<b>12.4.1.1.</b>

**" Works and Goods " : 5.1.1**  
**" Contractor's Equipment " : 1.5.1.1.**

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**" Goods " : 2.5.1.1.**

**" Materials " : 3.5.1.1.**

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**" Permanent Works " : 4.5.1.1.**

**" Plant " : 5.5.1.1.**

**" Section " : 6.5.1.1.**

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**" Temporary Works " : 7.5.1.1.**

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**" Works " : 8.5.1.1.**

**" Other Definitions " : 6.1.1**

**" Contractor's Documents " : 1.6.1.1.**

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**" Country " : 2.6.1.1.**

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**" Employer's Equipment " : 3.6.1.1.**

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**" Force Majeure " : 4.6.1.1.**

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"Laws " : 5.6.1.1.

"Performance Security " : 6.6.1.1.

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"Site " : 7.6.1.1.

"Unforeseeable " : 8.6.1.1.

"Variation " : [ ] 9.6.1.1.

" Interpretation " : .2..1

" Communications " : .3..1

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**" Law and Language " :** .4..1  
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**" Priority of Documents " :** .5..1

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**" Contract Agreement " :** .6..1  
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**" Assignment " :** .7..1

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" Care and Supply of Documents " :

.8..1

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"Delayed Drawings or Instructions" :

.9..1

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**" Employer's Use of Contractor's Documents :** **.10..1**

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**" Contractor's Use of Employer's Documents :** **.11..1**

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**" Confidential Details " :** **.12..1**

**" Compliance with Laws " :** **.13..1**

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**Joint and Several Liability :** .14..1  
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**THE EMPLOYER :**

**" Right of Access to the Site " : 1.2**

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**" Permits, Licenses or Approvals " : 2.2**

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**" Employer's Personnel " : 3.2**

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**Employer's Financial Arrangements : 4.2**

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**" Employer's Claims " : 5.2**

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**THE ENGINEER :**

**Engineer's Duties and Authority " : 1.3**

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**" Delegation by the Engineer " : 2.3**

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**" Instructions of the Engineer " : 3.3**

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**" Replacement of the Engineer " : 4.3**

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**" Determinations " : 5.3**

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**THE CONTRACTOR :**

**" Contractor's General Obligations " : 1.4**

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**" Performance Security " : 2.4**

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" Contractor's Representative " :

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**" Subcontractors " : 4.4**

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**" Assignment of Benefit of Subcontract " : 5.4**

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**" Co-operation " : 6.4**

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**" Setting Out " : 7.4**

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**" Safety Procedures " : 8.4**

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" Quality Assurance " : 9.4

" Site Data " : 10.4

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" Sufficiency of the Accepted Contract Amount " : " 11.4

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" Unforeseeable Physical Conditions " :

12.4

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" Rights of Way and Facilities " :

13.4

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**" Avoidance of Interference " : 14.4**

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**" Access Routes " : 15.4**

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**" Transport of Goods " : 16.4**

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**" Contractor's Equipment " : 17.4**

**" Protection of the Environment " : 18.4**  
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**" Electricity, Water and Gas " : 19.4**

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**20.4**

**"Employer's Equipment and Free- Materials**

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**" Progress Reports " :**

**21.4**

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" Security of the Site " : 22.4

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" Contractor's Operations on Site " : 23.4

" Fossils " : 24.4

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**NOMINATED SUBCONTRACTORS**

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**" Definition of Nominated Subcontractors" : 1.5**

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**"Objection to Nomination" : 2.5**

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**"Payment to Nominated Subcontractors": 3.5**

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**"Evidence of Payments" :**

**4.5**

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**STAFF AND LABOUR :**

**"Engagement of Staff and Labour" : 1.6**

**"Rates of Wages and Conditions of Labour": 2.6**

**"Persons in the Service of Employer: 3.6**

**"Labour Laws" : 4.6**

**"Working Hours" : 5.6**

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**"Facilities for Staff and Labour" : 6.6**

**"Health and Safety" : 7.6**

**"Contractor's Superintendence" : 8.6**

**"Contractor's Personnel" : 9.6**

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**10.6**

**"Records of Contractor's Personnel and Equipment"**

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**"Disorderly Conduct" :**

**11.6**



**PLANT, MATERIALS AND WORKMANSHIP**

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**"Manner of Execution" : 1.7**

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**"Samples" : 2.7**

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**"Inspection" : 3.7**

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**"Testing" : 4.7**

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**"Rejection" 5.7**

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**"Remedial Work"**

**6.7**

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**"Ownership of Plant and Materials" :**

**7.7**

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**"Royalties" :**

**8.7**

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## COMMENCEMENT, DELAYS AND SUSPENSION

**"Commencement of Works" : 1.8**

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**"Time for Completion" : 2.8**

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**"Programme" : 3.8**

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**"Extension of Time for Completion" : 4.8**

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**"Delays Caused by Authorities" : 5.8**

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		<b>"Rate of Progress"</b>	<b>6.8</b>
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	(4/8)		-
		(3/8)	
			-
	/	/	
		((5/2)       )	
	(7/8)	(       )	

		<b>"Delay Damages"</b>	<b>7.8</b>
	(2/8)		-
		(5/2)	
"   "		(       )	
			-
		(2/15)	

		<b>"Suspension of Work" :</b>	<b>8.8</b>
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	(11/8 10/8 9/8)		

**"Consequences of Suspension" : 9.8**

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**10.8**

**"Payment for Plant and Materials in Event of Suspension"**

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**"Prolonged Suspension" :**

**11.8**

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(28)

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.(2/16)

**"Resumption of Work" :**

**12.8**

**TESTS ON COMPLETION :**

		<b>"Contractor's Obligations" :</b>	<b>1.9</b>
(4/7)	" "	" "	-
		( -1/4)	-
	(21)		-
		(14)	-
		" "	-
		" "	-
		<b>"Delayed Tests" :</b>	<b>2.9</b>
			-
		(3/10) / (4/7)	-
		" "	-
	(21)		-
	(21)	" "	-
		<b>"Retesting" :</b>	<b>3.9</b>
(5/7)	" "	" "	-
		<b>"Failure to Pass Tests on Completion"</b>	<b>4.9</b>
(3/9)	" "	" "	-
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	(3/9)		-
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(5/3) (5/2)

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## EMPLOYER'S TAKING OVER

	<b>"Taking Over of the Works and Sections " :</b>	<b>1.10</b>
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	(2/8)	-1
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	( )	-2
(14)	( )	
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		"
	<b>"Taking Over of Parts of the Works" :</b>	<b>2.10</b>
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**"Interference with Tests on Completion" : 3.10**

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**" Surfaces Requiring Reinstatement: 4.10**

**DEFECTS LIABILITY**

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**1.11**

**" Completion of Outstanding Work and Remedying Defects"**

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**"Cost of Remedying Defects" :**

**2.11**

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**Extension of Defects Notification Period" :**

**3.11**

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**"Failure to Remedy Defects" :**

**4.11**

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**"Removal of Defective Work" :**

**5.11**

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**"Further Tests" :( )**

**6.11**

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**"Right of Access" : 7.11**

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**"Contractor to Search" : 8.11**

(2/11)

(5/3)

**"Performance Certificate" : 9.11**

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**"Unfulfilled Obligations" : 10.11**

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**"Clearance of Site" : 11.11**

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**MEASUREMENT AN EVALUATION**

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**"Works to be measured" : 1.12**

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**"Method of Measurement" : 2.12**

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**"Evaluation" : 3.12**

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**"Omissions" : 4.12**

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**VARIATIONS AND ADJUSTMENTS :**

	<b>"Right to Vary" :</b>	<b>1.13</b>
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	<b>"Value Engineering" :</b>	<b>2.13</b>
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(8/13)		(7/13)	
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		<b>"Variation Procedure" :</b>	<b>3.13</b>
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		<b>"Payment in Applicable Currencies" :</b>	<b>4.13</b>
			-
		<b>"Provisional Sums" :</b>	<b>5.13</b>
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**"Daywork" : 6.13**

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**Adjustments for Changes in Legislation" : 7.13**

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**"Adjustments for Changes in Cost" : 8.13**

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**CONTRACT PRICE AND PAYMENTS**

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		<b>"The Contract Price" :</b>	<b>1.14</b>
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		<b>"Advance Payment" :</b>	<b>2.14</b>
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**Application for interim payment certificate ":** **3.14**

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**"Schedule of Payments" :** **4.14**

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**"Plant and Materials Intended for the Works"**

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**"Issue of Interim Payment Certificates":**

**6.14**

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			<b>"Payment" :</b>	<b>7.14</b>
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(21)		(42)		-
	(2/4)			
			(2/14)	
		(56)		-
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			<b>"Delayed Payment" :</b>	<b>8.14</b>
	(7/14)			-
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	(%3)			-
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			<b>"Payment of Retention Money" :</b>	<b>9.14</b>
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	.(8/13)		(7/13)
	<b>"Statement at Completion" :(</b>	<b>)</b>	<b>10.14</b>
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			<b>11.14</b>
<b>" Application for Final Payment Certificate"</b>			
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**"Discharge" :** **12.14**

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**"Issue of Final Payment Certificate :** **13.14**

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**"Cessation of Employer's Liability":** **14.14**

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"Currencies of Payment" : 15.14

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**TERMINATION BY EMPLOYER**

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**"Notice to Correct" :**

**1.15**

**"Termination by Employer" :**

**2.15**

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**"Valuation at Date of Termination" :** **3.15**

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**"Payment after Termination" :** **4.15**

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**"Employer's Entitlement to Termination" :**

**5.15**

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**SUSPENSION AND TERMINATION BY CONTRACTOR**

**Contractor's Entitlement to Suspend Work" : 1.16**

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(21)	(7/14)	-
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	(4/8)	-
	(5/3)	-

**"Termination by Contractor" : 2.16**

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	(1/16)	-
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	(56)	-
(42)	(7/14)	-
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**3.16**

**"Cessation of Work and Removal of Contractor's Equipment"**

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**"Payment on Termination" :**

**4.16**

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**RISKS AND RESPONSIBILITY**

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**"Indemnities" : 1.17**

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**Contractor's Care of the work" : 2.17**

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**"Employer's Risks" :** **3.17**

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**"Consequences of Employer's Risks" :** **4.17**

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**"Intellectual and Industrial Property Rights" : (5/17)**

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**"Limitation of Liability" : (6/17)**

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**INSURANCE :**

**"General Requirements for Insurances" : 1.18**

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**Insurance for Works and Contractor's Equipment"**

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**3.18**

**"Insurance against Injury to Persons and Damage to Property"**

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**" Insurance for Contractor's Personnel " :**

**4.18**

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**FORCE MAJEURE :**

**"Definition of Force Majeure" : 1.19**

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**"Notice of Force Majeure" : 2.19**

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**"Duty to Minimise Delay" : 3.19**

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**"Consequences of Force Majeure" : 4.19**

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**Force Majeure Affecting Sub-Contractor" : 5.19**

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**"Optional Termination, Payment and Release" 6.19**

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**"Release from Performance under the Law" :**

**7.19**

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**CLAIMS, DISPUTES AND ARBITRATION**

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**"Contractor's Claims" : 1.20**

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**"Appointment of the Dispute Adjudication Board(DAB)"**

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<b>Failure to Agree Dispute Adjudication Board</b>			<b>3.20</b>
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		)	<b>4.20</b>
<b>"Obtaining Dispute Adjudication Board's Decision"</b>			-
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	<b>"Amicable Settlement" :</b>	<b>5.20</b>	
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"Arbitration" : 6.20

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**"Failure to Comply with Dispute Adjudication Board's Decision"**

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**"Expiry of the Dispute Adjudication Board's Appointment"**

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