

★ Get unlimited access to the best of Medium for less than \$1/week. [Become a member](#)



1 # Flowchart — FIDIC 1999 Claims & Dispute Resolution Process .



Steven Chin (The Contract Claims Guru). · Following

4 min read · Jun 20



Share



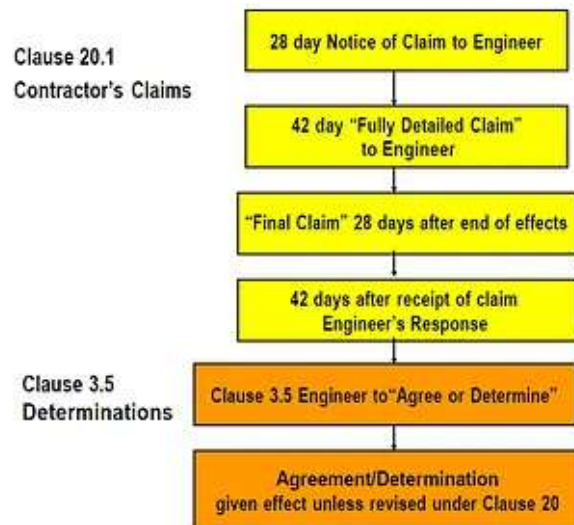
More

The Claims & Dispute Resolution Process is a 2 Step Process and covered by Clause 20 and Sub Clause 3.5.

For Claims the process commence from Sub Clause 20.1 where a mandatory Notice must be given, failing which the Contractor will lose it's entitlement and right to claim.

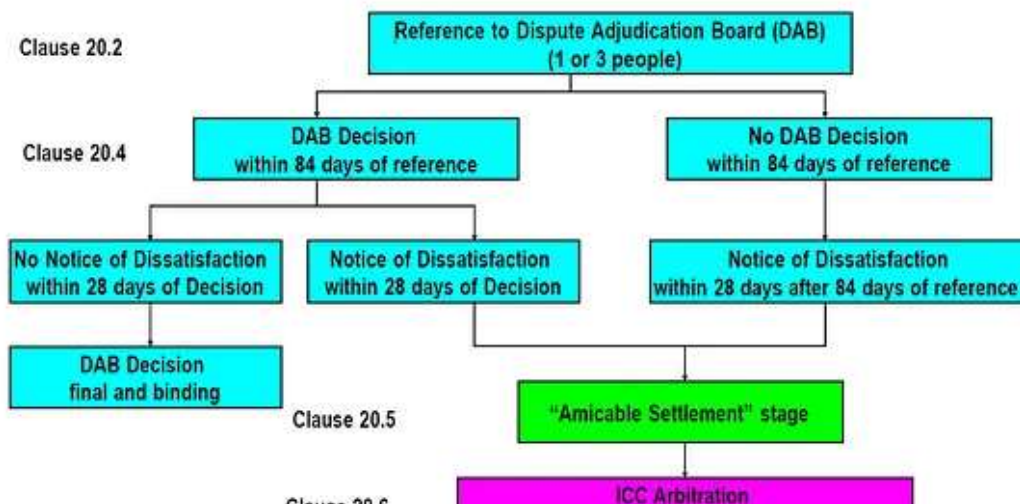
For Disputes the process commence from Sub Clause 3.5 where the Contractor issue a notice to the Engineer requesting for an Engineer's determination on the matter in dispute.

FIDIC Procedure for Employer/Contractor's Claims



Part 1 of 3 — Step1: FIDIC 1999 Claims & Dispute Resolution Process

It is important to note that Step1 must be completed before the Contractor can proceed to Step 2, which is a reference to an Independent third party or parties (as the case may be).



Open in app ↗



Search Medium

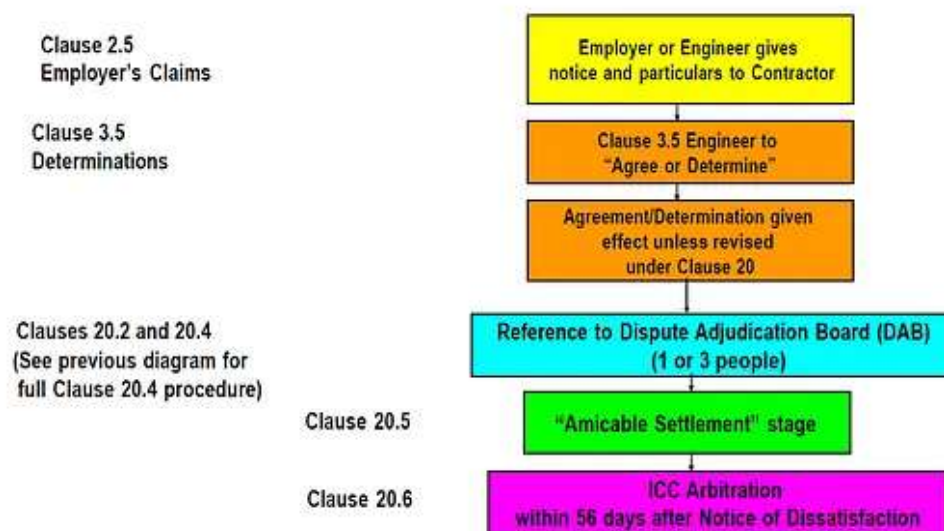


The Resolution Process requires the Parties to carry out a last minute attempt to settle under Sub Clause 20.5 before being allowed to refer to Arbitration.

.....

It would be interesting to note that the Employer is also subjected to give Notice if he has a Claim which he wish to recover from the Contractor and deduct the amount from the Contract Sum.

For Employer's Claims against the Contractor, the Resolution Process commence from Sub Clause 2.5 and thereafter follow a similar process to the process for the Contractor's Claim.



Part 3 of 3 - FIDIC 1999 Claims & Dispute Resolution Process by Employer as Claimant

The only difference between the two process is that while it is mandatory for Notice to be given for a Contractor's claim, it is not so for an Employer's claim.

However this imbalance has been rectified and amended in the FIDIC Red Book 2017 edition where both parties now has the mandatory obligation to issue Notices in the event of either a Contractor's or Employer's claim.

.....

For those of you who found my weekly musings informative and helpful, I have posted 30+ posts at www.medium.com. You can access them there. You can use this link to find me at :-