



UNIVERSITÉ PARIS II
PANTHÉON-ASSAS

POSTGRADUATE DIPLOMA DELIVERED BY PARIS PANTHÉON-ASSAS UNIVERSITY

COVERS
BOTH CIVIL AND
COMMON LAW
JURISDICTIONS

International Construction Contracts (I2C)

Specialist legal and practical training for construction professionals
working in international markets

Delivered in the heart of Paris, the most popular international
arbitration seat, in the Quartier Latin and the Pantheon area

A unique Postgraduate Diploma aimed at construction
professionals seeking knowledge of sound contracts
management practices in relation to international
construction contracts in both civil law and
common law environments.



THE COURSE WILL BE DELIVERED IN ENGLISH BY HIGH PROFILE INTERNATIONAL EXPERTS IN THE CONSTRUCTION INDUSTRY.

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What is the objective of the Course?

The IC2 PgD is aimed at providing professionals working internationally with the required combination of legal, management and practical skills to ensure good and efficient contracts management.

The course is based on an optimal blend of academic and practical knowledge, combining lectures, case studies and tutorials with group work.

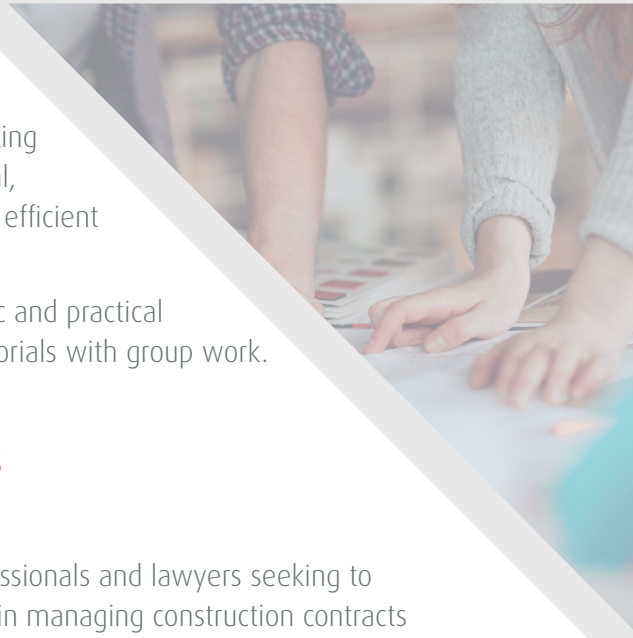
What are the entry requirements and the main selection criteria?

The course is open to experienced construction professionals and lawyers seeking to increase their knowledge and strengthen their skills in managing construction contracts in an international environment.

Candidates will be expected to:

- Demonstrate significant experience at executive positions on construction projects or in dealing with international construction contracts, claims or disputes.
- Submit a letter of motivation together with a CV, evidence of qualifications and references.

A limited number of places is available in order to maximise the opportunities for group exchanges and discussion.



Who will benefit from this Course?

Whether professional engineers, QS, project managers, lawyers, architects, procurement officers, admin & finance personnel, or from other disciplines, all participants will benefit from the experience of highly recognized international practitioners from a range of positions within the construction team, and with diversified and complementary roles (project managers, professional engineers, in-house counsel, lawyers).

The course is specifically tailored for professionals involved in:

- Preparation, negotiation and drafting of construction contracts
- Construction contracts administration and management
- Claim management and dispute resolution in an international arena.

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Programme

Module/ Session ID	PROGRAMME
1	MODULE 1: GETTING THE BASICS RIGHT
1.1	Main jurisdictions across the world (focus on civil law and common law), and different operation of legal systems (statutes/acts, regulations, bye-laws, role & organization of the judiciary)
1.2	The construction team – roles & responsibilities (Employer, Contractor, Subcontractors, Architect/Engineer + other imposed by law – control bodies, etc)
1.3	Private law on international projects – Choice & effects of the applicable law to a contract, conflicts in between laws and in between jurisdictions / Effects of the mandatory provisions of the law
1.4	Specificities of public/administrative law
2	MODULE 2: LAW OF OBLIGATIONS (CONTRACT, TORT/DELICT)
2.1	Introduction to the main international forms of construction contracts FIDIC, NEC3, JCT, ICC, I Chem E, LOGIC
2.2	Law of obligations – contractual liabilities, standards of performance (skill & care, fitness for purpose), time-bars & limitations / Interpretation of contract terms – rules & doctrines at law
2.3	Law of obligations – tortious liabilities, standards of performance, co-extensive of contractual and tortious duties, limitations
3	MODULE 3: PROJECT FEASIBILITY & CONTRACT FORMATION
3.1	Project feasibility, development and design stages
3.2	Identification & registration of project risks
3.3	Risk allocation & contracting strategy with impact of project financing, choice of contract vehicles (standard forms, bespoke), innovation in contracting (target price, alliances, etc)
3.4	Procurement options & rules
3.5	Price definition (remeasured, lump sum, target price)
3.6	Contract formation – legal rules / Intention, Offer & acceptance, consideration, priority of contract documents
3.7	Contract negotiations – main salient points
3.8	Bonds & warranties

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4	MODULE 4: PROJECT IMPLEMENTATION, CONTRACT EXECUTION
4.1	Association modes – JV, subcontracting – and related liabilities (joint, several)
4.2	Access to and possession of the Site, boundaries
4.3	Project information, site Data / physical conditions
4.4	Interface management
4.5	Communication management in between the Parties
4.6	Works programme, progress monitoring procedures, acceleration
4.7	Works quality – monitoring, inspection, tests, Quality Assurance
4.8	Health, Safety and Environment – during and after construction
4.9	Variations management
4.10	Payment – estimation & valuation during works execution, payment procedures & monitoring
5	MODULE 5: PROJECT & CONTRACT CLOSURE, LIABILITIES
5.1	Frustration (e.g. Force Majeure), Suspension & termination
5.2	Taking-over, defect notification period and liabilities (defects, delay – liquidated damages vs penalties)
5.3	Insurances – types & operation
6	MODULE 6: CLAIM MANAGEMENT & DISPUTE RESOLUTION
6.1	Non-contentious – claim causes and procedures
6.2	Valuation of delays, losses and damages suffered: Quantum, Delay analysis techniques
6.3	Contentious – dispute resolution procedures – ADR (mediation, adjudication and arbitration) & judiciary / enforcement of decisions



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What is the programme structure?

The programme will be carried out over 1 year, from September to June, for a total of 158 study hours.

Teaching days will be held in Paris over 1 week-end (Thursday/Friday/Saturday) per month.

Exams will be held in February and June.

The first 2 modules will be wholly dedicated to the fundamental legal principles which govern construction contracts in the main jurisdictions across the globe. Thereafter, the modules will follow the contract life cycle in a very hands-on/practical manner, from the project preparation and procurement phases through the execution phase to close-out. Under each module current international trends will be addressed. Extensive reference to international forms of contracts, such as FIDIC, JCT, ICC, NEC3, DEVCO and others, will give participants a complete picture of the best world-wide practice.

To find out more and register contact:

Mrs. Marie-Paul Poulin – Course Co-ordinator: marie-paul.poulin@u-paris2.fr

Mr. Vincent Leloup – Director of Studies – Vincent.leloup@exequatur.pro

Who will teach?

Course Directors:

- **Hughes Périnet-Marquet**, Law teacher, Paris II Assas
- **Vincent Leloup**, Managing Partner, Exequatur



Lecturers:

- **Gonzague de Bouville**, In-house General Counsel, Cofely-Ineo, Engie group
- **François Doré**, Risk Manager, Bouygues Bâtiment International
- **Marc Frilet**, Managing Partner, Société d'Avocats Frilet
- **Frédéric Gillion**, Partner, Pinsent Masons Law firm
- **Stéphane Giraud**, Director – Dams & River works, Egis group
- **Vincent Leloup**, Managing Partner, Exequatur
- **Bruno Magnin**, Health & Safety Director, Bouygues Bâtiment International
- **François Muller**, Partner, Altana law firm
- **Charles Nairac**, Partner, White & Case law firm
- **James Perry**, Partner, PS Consulting
- **Peter Rosher**, Partner, Pinsent Masons Law firm
- **Martial de Rougé**, In-house Counsel, Egis group
- **Christopher Seppala**, Partner, White & Case law firm
- **Christophe Sergeant**, Head of Unit, Legal Department – Energy, EDF SA
- **Geoffrey Smith**, Partner, PS Consulting