

# Appendix E: FIDIC Forms Risk Allocation Charts

## E.1 Chart No.1: Basic risk allocation alternatives in connection with unforeseeable physical conditions

Alternative	Risk allocation	Contractor's costs	Contractor's overhead	Contractor's profit
A.	Employer	Employer's risk	Employer's risk	Employer's risk
B.	Shared	Employer's risk	Employer's risk	Contractor's risk
C.	Contractor	Contractor's risk	Contractor's risk	Contractor's risk

## E.2 Chart No. 2: Basic comparison of risk allocation (claims options) in FIDIC CONS/1999 Red Book, P&DB/1999 Yellow Book and EPC/1999 Silver Book

E = Employer's risk; C = Contractor's risk; S = Shared risk

Clause	Identification of risk	Red Book	Yellow Book	Silver Book
1.9 <i>Red Book</i>	Delayed Drawings or Instructions (by the Employer)	E	-	-
1.9 <i>Yellow Book</i>	Errors in the Employer's Requirements	-	E	C
2.1	Right of Access to the Site	E	E	E

Clause	Identification of risk	Red Book	Yellow Book	Silver Book
4.7	Setting Out (of original points, lines and levels of reference)	<b>E</b>	<b>E</b>	<b>C</b>
4.12	Unforeseeable Physical Conditions	<b>S</b> Time = E Costs = E Overhead = E Profit = C	<b>S</b> Time = E Costs = E Overhead = E Profit = C	<b>C</b>
4.24	Fossils	<b>S</b> Time = E Costs = E Overhead = E Profit = C	<b>S</b> Time = E Costs = E Overhead = E Profit = C	<b>S</b> Time = E Costs = E Overhead = E Profit = C
7.4	Employer's Delay in Performing Tests	<b>E</b>	<b>E</b>	<b>E</b>
7.5	Rejection of Plant, Material or Workmanship	<b>C</b>	<b>C</b>	<b>C</b>
7.6	Remedial Work	<b>C</b>	<b>C</b>	<b>C</b>
8.4	Extension of Time for Completion	<b>S</b> Time = E Costs = C Overhead = C Profit = C	<b>S</b> Time = E Costs = C Overhead = C Profit = C	<b>S</b> Time = E Costs = C Overhead = C Profit = C
8.4	Exceptionally Adverse Climatic Conditions	<b>S</b> Time = E Costs = C Overhead = C Profit = C	<b>S</b> Time = E Costs = C Overhead = C Profit = C	<b>C</b>
8.5	Delays Caused by Authorities	<b>S</b> Time = E Costs = C Overhead = C Profit = C	<b>S</b> Time = E Costs = C Overhead = C Profit = C	<b>S</b> Time = E Costs = C Overhead = C Profit = C
8.6	Insufficient Rate of Progress	<b>C</b>	<b>C</b>	<b>C</b>
8.9	Consequences of Suspension	<b>S</b> Time = E Costs = E Overhead = E Profit = C	<b>S</b> Time = E Costs = E Overhead = E Profit = C	<b>S</b> Time = E Costs = E Overhead = E Profit = C
9.4	Failure to Pass Tests on Completion	<b>C</b>	<b>C</b>	<b>C</b>
10.2	Taking Over of Parts of the Works	<b>E</b>	<b>E</b>	<b>E</b>
10.3	Interference with Tests on Completion	<b>E</b>	<b>E</b>	<b>E</b>
11.4	Failure to Remedy Defects	<b>C</b>	<b>C</b>	<b>C</b>

Clause	Identification of risk	Red Book	Yellow Book	Silver Book
11.8	Contractor to Search for the Cause of any Defect	<b>S</b> Time = C Costs = E Overhead = E Profit = E	<b>S</b> Time = C Costs = E Overhead = E Profit = E	<b>S</b> Time = C Costs = E Overhead = E Profit = E
12.3	Evaluation	<b>E or C</b>	-	-
12.4 <i>Red Book</i>	Omission of any Work according to Variation	<b>S</b> Time = C Costs = E Overhead = E Profit = C	-	-
12.4 <i>Yellow &amp; Silver Book</i>	Failure to Pass Tests after Completion	-	<b>C</b>	<b>C</b>
13.3	Variation Procedure	<b>S</b> Time = C Costs = E Overhead = E Profit = C	<b>S</b> Time = C Costs = E Overhead = E Profit = E	<b>S</b> Time = C Costs = E Overhead = E Profit = E
13.7	Adjustments for Changes in Legislation	<b>S</b> Time = E Costs = E Overhead = E Profit = C	<b>S</b> Time = E Costs = E Overhead = E Profit = C	<b>S</b> Time = E Costs = E Overhead = E Profit = C
13.8	Adjustments for Changes in Costs (Indexation)	<b>E or C</b>	<b>E or C</b>	<b>C</b>
14.8	Delayed Payment	<b>E</b>	<b>E</b>	<b>E</b>
15.4	Payment after Employer's Termination	<b>C</b>	<b>C</b>	<b>C</b>
16.1	Contractor's Entitlement to Suspend Work	<b>E</b>	<b>E</b>	<b>E</b>
16.4	Payment after Contractor's Termination	<b>E</b>	<b>E</b>	<b>E</b>
17.1	Indemnities	<b>E or C</b>	<b>E or C</b>	<b>E or C</b>
17.4	Consequences of Employer's Risks	<b>E</b>	<b>E</b>	<b>E</b>
19.4	Consequences of <i>Force Majeure</i>	<b>S</b> Time = E Costs = E Overhead = E Profit = C	<b>S</b> Time = E Costs = E Overhead = E Profit = C	<b>S</b> Time = E Costs = E Overhead = E Profit = C