

Abstract

The main aim of this thesis is to analyze available information on the claim management in the international capital construction. The thesis also describes how the claim management should work and makes a comparison and evaluation of the real situation in practice. This comparison and evaluation is based on FIDIC conditions of contract available to the experts in implementation of construction projects.

The thesis is divided into five chapters. The chapters deals step by step with the basic terms, the FIDIC conditions of contract, the contract price, the time for completion, the claim and the claim management.

Chapter One clarifies essential terms for understanding the solved theme, the project of construction, the unification of obligations, the foreign business and the construction project organization.

Second chapter deals with the FIDIC conditions of contract, which can be classified as a part of *lex mercatoria*, factually *lex constructionis*. The FIDIC conditions of contract are used in the foreign construction, but also domestically. Czech civil code inclines to the autonomy of contractual parties and gives businessmen the possibility to determine part of the content with reference to the certain contractual terms and conditions. The FIDIC conditions of contract are judged with the projects specifics. There is a increasing tendency of using the FIDIC conditions of contract in the Czech republic. Chapter Two also solves the importance of the standard contract forms and the composition of the FIDIC conditions of contract.

The next chapter discusses the contract price, the time for completion and also the impact of elected type of FIDIC conditions of contract on these two important construction project factors. The chapter also solves the time schedule problematic and the progress reports, which can be in operation with the exercising of claims.

Penultimate chapter makes the term claim and its classification clear. There is also the comment on different area for the claim exercising in accordance with the used type of the FIDIC conditions of contract, in the fourth chapter. The attention is also paid to the argument for the claims of contractors and employers, especially on their application and expiration.

Last chapter analyses the claim management and its effect on the construction project from the contract price and the time for completion point of view. Then the composition and amount of the contractors project team and his members responsibility is considered. The important part is the claim measurement and evaluation, together with the Engineers impact. The part of the chapter is engaged to the communication and the foreign language question, mainly the translation difficulties.

In the closing part of the thesis, there is a summary of previous conclusions and preconditions that states the claim management is during the construction project realization important and relevant, nevertheless it used to be neglected and undervalued.