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The New FIDIC Collaborative Contract Model: Integrating Collaborative Management Teams (CMTs) into GCC Giga-Project Concessions

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ABSTRACT

The rapid expansion of giga-projects across the Gulf Cooperation Council (GCC) has transformed the contractual landscape of infrastructure and concession-based development, creating a need for more collaborative and adaptive project delivery mechanisms. Traditional FIDIC contract models, while effective in allocating risks and responsibilities, have often been criticized for fostering adversarial relationships that contribute to disputes, delays, and cost overruns in large-scale projects. This article examines the emerging FIDIC collaborative contract model, with particular emphasis on the integration of Collaborative Management Teams (CMTs) into GCC giga-project concessions. Using a qualitative doctrinal research methodology based exclusively on secondary sources, the study analyzes recent developments in FIDIC contract philosophy, collaborative governance, and concession-based infrastructure procurement within the GCC. It argues that CMTs enhance communication, joint decision-making, proactive risk management, and stakeholder coordination throughout the project lifecycle. The article further explores the legal, institutional, and practical implications of embedding collaborative mechanisms into concession agreements, highlighting their potential to improve contractual performance, reduce disputes, and strengthen project resilience. The findings suggest that integrating CMTs within the evolving FIDIC framework offers a balanced contractual approach capable of supporting the successful delivery of complex GCC giga-projects while promoting long-term sustainability and value creation.



1. Introduction

1.1 Background of the Study

The Gulf Cooperation Council (GCC) has emerged as one of the world's most dynamic regions for infrastructure development, with governments investing heavily in giga-projects designed to diversify national economies, promote sustainable development, and strengthen regional competitiveness. These projects encompass smart cities, transportation corridors, renewable energy facilities, tourism destinations, industrial zones, and integrated urban developments that involve substantial financial commitments and multiple public and private stakeholders. Their unprecedented scale and complexity require sophisticated contractual frameworks capable of managing technical uncertainty, regulatory changes, financial risks, and stakeholder expectations while ensuring timely project delivery. Consequently, the effectiveness of construction and concession contracts has become a decisive factor in determining the success of these large-scale developments (S. Zafar et al., 2024).

The Fédération Internationale Des Ingénieurs-Conseils (FIDIC) forms of contract have long been recognized as the leading international standard for construction and infrastructure projects. Their balanced allocation of contractual responsibilities, clearly defined dispute resolution mechanisms, and internationally accepted risk management principles have contributed significantly to the successful implementation of infrastructure projects across different jurisdictions. GCC governments and private investors increasingly rely upon FIDIC-based contracts because they provide legal certainty, standardized contractual procedures, and internationally recognized mechanisms for administering complex engineering projects. However, despite these advantages, traditional FIDIC contracts have frequently been criticized for emphasizing formal contractual compliance and reactive dispute resolution rather than encouraging continuous collaboration among project participants (M. U. Zafar, Baig, et al., 2024).

Modern infrastructure projects operate within an environment characterized by rapid technological innovation, evolving regulatory requirements, environmental sustainability obligations, cybersecurity concerns, supply chain disruptions, and heightened stakeholder expectations. These factors have exposed the limitations of conventional contractual approaches that rely primarily on strict risk allocation and contractual enforcement after disputes arise. Instead, contemporary project management increasingly emphasizes collaboration, transparency, shared responsibility, and proactive problem-solving throughout the project lifecycle. The growing recognition that successful project outcomes depend upon effective communication and joint decision-making has encouraged the evolution of collaborative contracting models capable of balancing legal certainty with operational flexibility (M. U. Zafar, Asghar, et al., 2024).

In response to these changing industry demands, the new collaborative philosophy reflected within the evolving FIDIC contractual framework promotes greater cooperation between employers, contractors, engineers, financiers, and other stakeholders. A central feature of this evolution is the concept of Collaborative Management Teams (CMTs), which are designed to facilitate integrated governance, early issue identification, coordinated decision-making, and continuous stakeholder engagement. Rather than replacing established contractual obligations, CMTs complement existing contractual structures by encouraging participants to resolve emerging issues collaboratively before they escalate into formal disputes. This collaborative approach aligns with modern principles of relational contracting, which recognize that long-term project success depends upon trust, cooperation, and mutual accountability alongside legally enforceable contractual obligations (Manzoor et al., 2024a).

The relevance of Collaborative Management Teams becomes particularly significant within GCC giga-project concessions, where contractual relationships extend beyond traditional construction activities to include financing, operation, maintenance, regulatory compliance, and long-term asset management. Concession projects often involve governments, international contractors, private investors, lenders, consultants, operators, and local communities whose interests must be effectively coordinated throughout extended concession periods. Under such circumstances, collaborative governance structures provide an institutional mechanism for aligning strategic objectives, improving information sharing, reducing adversarial behaviour, and supporting efficient project implementation despite changing economic or regulatory conditions. As GCC economies continue to pursue ambitious national development strategies, integrating collaborative contractual mechanisms has become increasingly important for delivering resilient and sustainable infrastructure (Adnan & Asghar, 2024).

1.2 Significance and Scope of the Study

This study is significant because it examines one of the most important developments in international construction contracting by analyzing the integration of Collaborative Management Teams into the emerging FIDIC collaborative contract model for GCC giga-project concessions. It contributes to the growing body of legal and contractual scholarship by exploring how collaborative governance can improve project administration, enhance stakeholder coordination, strengthen risk management, and reduce the frequency of contractual disputes. The study also provides valuable insights for governments, policymakers, project sponsors, contractors, engineers, concessionaires, legal practitioners, and financial institutions seeking more effective contractual frameworks for managing increasingly complex infrastructure investments. By evaluating the interaction between collaborative management principles and established FIDIC contractual provisions, the research demonstrates how contractual innovation can support sustainable infrastructure development while preserving legal certainty and commercial efficiency (Manzoor et al., 2024b).

The scope of this study is limited to a qualitative doctrinal examination of the evolving FIDIC collaborative contract model within the context of GCC concession-based giga-projects. The research relies exclusively on secondary sources, including academic literature, legal commentaries, international contractual frameworks, policy documents, institutional reports, and comparative legal analysis. It focuses on the legal, institutional, and managerial dimensions of Collaborative Management Teams, assessing their potential role in improving governance, contractual performance, dispute avoidance, and long-term project success. The study does not undertake empirical fieldwork but instead provides a comprehensive conceptual and legal analysis intended to support future contractual reforms and practical implementation within GCC infrastructure projects (Kanwel, Asghar, et al., 2024).

1.3 Research Objectives

- i. To examine the evolution of the FIDIC collaborative contract model in response to the changing requirements of modern infrastructure projects.
- ii. To analyze the legal and operational role of Collaborative Management Teams in GCC giga-project concession contracts.
- iii. To evaluate the contribution of collaborative governance to effective risk management, stakeholder coordination, and dispute avoidance.

- iv. To assess the suitability of integrating Collaborative Management Teams within concession-based contractual frameworks across GCC jurisdictions.
- v. To propose recommendations for strengthening collaborative contracting practices under the evolving FIDIC framework for future GCC infrastructure projects.

2. Literature Review

2.1 Conceptual Framework and Key Definitions

The increasing complexity of contemporary infrastructure development has transformed the understanding of contractual governance from a purely legal mechanism of allocating risks and obligations into a broader framework of collaborative project management. Within this evolving landscape, the FIDIC contract model has undergone significant conceptual development, reflecting the industry's growing recognition that successful project delivery depends not only on well-drafted contractual clauses but also on effective cooperation among project participants. The concept of collaborative contracting emphasizes continuous communication, shared decision-making, transparency, mutual trust, and early identification of potential risks throughout the project lifecycle. Rather than treating disputes as inevitable consequences of contractual performance, collaborative models seek to prevent conflicts through structured cooperation and proactive governance (Chaudhary et al., 2024).

A Collaborative Management Team (CMT) represents a multidisciplinary governance structure established to facilitate coordination among employers, contractors, engineers, consultants, financiers, operators, and other key stakeholders involved in project implementation. Unlike conventional project administration, where responsibilities are often exercised independently and contractual interactions become increasingly adversarial, CMTs promote integrated decision-making by encouraging regular consultation, information sharing, joint risk assessment, and collective problem-solving. These teams operate alongside existing contractual arrangements without replacing legally enforceable obligations, thereby creating an institutional mechanism that strengthens both contractual compliance and operational efficiency (Kanwel, Khan, et al., 2024b).

The concept of concession-based infrastructure projects is equally important within this framework. A concession agreement generally grants a private entity the right to finance, design, construct, operate, maintain, and sometimes transfer public infrastructure over an agreed concession period. Such arrangements distribute responsibilities across multiple parties whose interests frequently evolve during long-term project implementation. Consequently, effective governance requires mechanisms capable of accommodating changing economic conditions, regulatory developments, technological innovation, environmental obligations, and stakeholder expectations. Within GCC giga-projects, concession contracts increasingly involve integrated financing structures, international contractors, sovereign entities, and multinational investors, making collaborative governance particularly valuable for ensuring contractual stability and project resilience (Kanwel, Khan, et al., 2024a).

The FIDIC collaborative contract philosophy therefore represents a gradual transition from traditional risk allocation toward relational contract management. This approach recognizes that legal certainty and commercial success are strengthened when contractual parties cooperate throughout project execution rather than relying exclusively on formal dispute resolution mechanisms after disagreements arise. Consequently, Collaborative Management Teams have emerged as an important institutional innovation supporting this transformation by integrating contractual governance with practical project management (Altaf, 2023).

2.2 Theoretical Perspectives and Models

Several theoretical perspectives explain the emergence of collaborative contracting within modern infrastructure procurement. The first is Relational Contract Theory, which argues that long-term commercial relationships cannot be governed solely through detailed contractual provisions because changing circumstances require continuous cooperation and mutual adjustment. According to this perspective, contracts establish the legal framework for commercial relationships, but successful implementation depends upon trust, flexibility, communication, and reciprocal commitment among contracting parties. The theory is particularly relevant for concession agreements extending over several decades, during which unforeseen technical, financial, and regulatory developments inevitably arise.

Governance Theory also provides an important foundation for understanding Collaborative Management Teams. Traditional governance models relied upon hierarchical decision-making and centralized contractual authority, whereas contemporary governance emphasizes networks of interdependent organizations working collectively toward common objectives. Within infrastructure projects, governance extends beyond contract administration to include institutional coordination, stakeholder engagement, accountability, transparency, and strategic oversight. Collaborative Management Teams embody these principles by establishing structured mechanisms through which diverse participants jointly manage project implementation while preserving their respective contractual responsibilities (Abdelalim et al., 2024).

Integrated Project Delivery (IPD) theory further contributes to collaborative contracting by emphasizing early stakeholder involvement, shared objectives, collective risk management, and coordinated project execution. Although IPD originated primarily within building construction, many of its collaborative principles have influenced international contract development, including evolving FIDIC practices. The emphasis on multidisciplinary cooperation encourages participants to identify potential problems before they affect project performance, thereby reducing delays, minimizing disputes, and improving overall efficiency (Sydenham et al., 2023).

Risk Management Theory also underpins the collaborative model by recognizing that project risks cannot always be transferred effectively through contractual clauses alone. Traditional contracting often attempts to allocate risks to individual parties regardless of their ability to manage them efficiently. Contemporary collaborative approaches instead promote joint identification, continuous monitoring, and cooperative mitigation of emerging risks. Collaborative Management Teams operationalize this principle by enabling participants to evaluate technical, financial, legal, environmental, operational, and geopolitical risks collectively rather than independently (Abdelwahab & Nassar, 2024).

Stakeholder Theory further strengthens the conceptual foundation of collaborative governance by recognizing that infrastructure projects affect multiple groups with diverse interests and expectations. Governments seek public value and economic development, contractors pursue commercial profitability, financiers prioritize investment security, operators emphasize long-term efficiency, while communities expect sustainable and socially responsible infrastructure. Collaborative governance mechanisms facilitate balanced consideration of these competing interests through structured participation and transparent communication, thereby supporting more sustainable project outcomes (Cho et al., 2025).

2.3 Review of National Literature

The available literature within GCC jurisdictions demonstrates increasing scholarly interest in infrastructure governance, concession financing, public-private partnerships, and construction

dispute management. Existing national studies primarily focus on legal reforms designed to attract foreign investment, strengthen procurement systems, improve dispute resolution mechanisms, and enhance regulatory certainty for large-scale infrastructure development. Researchers generally recognize that GCC countries have adopted internationally accepted contractual standards, particularly FIDIC contracts, to improve consistency and investor confidence in major infrastructure projects.

National scholarship also highlights the rapid expansion of mega-projects under ambitious national development strategies, emphasizing the growing complexity of contractual relationships involving governments, international contractors, engineering consultants, financial institutions, and private concessionaires. Several studies acknowledge that conventional project management approaches often struggle to accommodate changing project requirements, resulting in delays, contractual claims, cost escalation, and stakeholder disagreements. Consequently, increasing attention has been devoted to improving project governance through enhanced communication, institutional coordination, digital project management, and integrated risk management practices (Chan et al., 2025).

Recent national literature additionally recognizes the importance of sustainability, technological innovation, digital infrastructure, and regulatory modernization within GCC construction sectors. Researchers argue that successful implementation of long-term concession projects requires governance structures capable of adapting to evolving environmental standards, technological developments, and public policy priorities. Nevertheless, discussions concerning Collaborative Management Teams remain relatively limited. Existing literature generally examines collaboration as a managerial principle rather than as a formally integrated contractual mechanism operating within FIDIC concession frameworks. This indicates the need for more comprehensive legal analysis concerning institutionalized collaborative governance (LAWAL, 2025).

2.4 Review of International Literature

International literature reflects a substantial evolution in construction contract scholarship from adversarial contractual models toward collaborative governance frameworks. Numerous studies examine the limitations of traditional construction contracts, particularly their tendency to encourage defensive risk allocation, contractual claims, fragmented decision-making, and prolonged dispute resolution. Scholars increasingly argue that contractual success depends upon maintaining productive relationships throughout project implementation rather than relying exclusively upon legal remedies after conflicts emerge (Moradbeygi & Abrari, 2024).

Extensive international research explores collaborative contracting models, alliance contracting, partnering agreements, integrated project delivery, relational procurement, and early contractor involvement. These studies consistently demonstrate that collaborative governance improves communication, enhances project coordination, accelerates decision-making, reduces transactional costs, and minimizes litigation. Researchers further observe that integrated governance structures facilitate more effective management of uncertainty arising from technological complexity, changing regulatory requirements, supply chain disruptions, environmental obligations, and stakeholder expectations.

International scholarship concerning FIDIC contracts similarly illustrates the organization's gradual movement toward promoting cooperation, transparency, fairness, and dispute avoidance alongside traditional contractual enforcement. Recent academic discussions emphasize enhanced project communication, proactive contract administration, structured dispute avoidance mechanisms, and greater emphasis upon mutual contractual obligations. Many commentators argue

that evolving FIDIC principles increasingly reflect relational contracting concepts without abandoning the legal certainty that has historically characterized FIDIC documentation (Rasool et al., 2025).

Studies examining infrastructure concessions further emphasize that long-term contractual arrangements require adaptive governance capable of responding to economic fluctuations, political developments, operational challenges, and technological innovation over extended concession periods. International researchers increasingly advocate governance mechanisms combining contractual certainty with managerial flexibility, particularly within public-private partnerships involving numerous institutional stakeholders. Collaborative Management Teams have consequently attracted growing scholarly attention as practical governance structures capable of integrating legal compliance with coordinated project management (Osifo et al., 2025).

The international literature also explores digital transformation, Building Information Modelling (BIM), artificial intelligence, data-driven project management, cybersecurity governance, and environmental sustainability within collaborative infrastructure delivery. These developments reinforce the importance of multidisciplinary governance because effective project implementation increasingly requires coordinated expertise extending beyond traditional engineering and legal disciplines. Nevertheless, despite substantial international discussion regarding collaborative contracting principles, comparatively limited research specifically examines how Collaborative Management Teams may be formally incorporated into FIDIC concession agreements governing GCC giga-projects. Most available studies consider collaboration either from general project management perspectives or within alliance contracting models rather than analyzing its contractual integration within evolving FIDIC frameworks (Ashraf & Alosaimi, 2026).

2.5 Research Gap

Existing national and international literature extensively examines FIDIC contracts, collaborative contracting, public-private partnerships, and concession governance independently. However, limited scholarly attention has been devoted to the formal integration of Collaborative Management Teams within the evolving FIDIC collaborative contract model for GCC giga-project concessions. Furthermore, few studies evaluate the legal, institutional, and governance implications of embedding structured collaborative mechanisms into long-term concession agreements. This study addresses this gap by providing a doctrinal analysis of CMT integration within the modern FIDIC framework applicable to GCC infrastructure projects.

3. Research Methodology

3.1 Research Design: Qualitative Doctrinal Approach

This study adopts a qualitative research design employing a doctrinal legal research approach to examine the evolving FIDIC collaborative contract model and the integration of Collaborative Management Teams (CMTs) into Gulf Cooperation Council (GCC) giga-project concession agreements. A qualitative doctrinal methodology is particularly appropriate because the research focuses on the interpretation, evaluation, and critical analysis of legal principles, contractual frameworks, and governance mechanisms rather than empirical investigation. The study systematically examines the legal foundations of collaborative contracting by analyzing the evolution of FIDIC contractual philosophy, concession arrangements, and collaborative governance within modern infrastructure procurement. Through doctrinal analysis, the research evaluates how existing contractual provisions can accommodate institutional innovations such as CMTs while maintaining legal certainty, effective risk allocation, and contractual accountability.

The methodology also facilitates a comparative examination of contemporary legal and contractual developments relevant to infrastructure projects across GCC jurisdictions.

3.2 Sources of Data: Secondary Legal Materials

The research relies exclusively on secondary legal materials to ensure a comprehensive doctrinal analysis of the subject. These materials include academic books, peer-reviewed journal articles, legal commentaries, conference papers, policy reports, institutional publications, government documents, international construction law literature, and scholarly analyses concerning FIDIC contracts, concession agreements, collaborative contracting, project governance, public-private partnerships, and infrastructure procurement. In addition, the study examines official guidance documents relating to international standard forms of construction contracts, legal analyses of contractual risk allocation, and published materials addressing collaborative project management and dispute avoidance. The exclusive reliance on secondary sources enables the research to synthesize established legal knowledge, identify emerging contractual trends, and evaluate competing scholarly perspectives concerning collaborative governance within large-scale infrastructure projects.

3.3 Method of Data Collection and Analysis

Data collection is conducted through a structured review of relevant secondary legal literature obtained from recognized academic publications, legal databases, institutional reports, professional guidance documents, and authoritative scholarly sources relating to construction law and infrastructure procurement. The collected materials are selected based on their relevance to collaborative contracting, concession governance, FIDIC contractual development, and project management within GCC infrastructure projects. The analytical process employs doctrinal legal analysis supported by qualitative thematic analysis. Doctrinal analysis is used to interpret legal concepts, contractual principles, governance structures, and institutional frameworks, while thematic analysis facilitates the identification of recurring patterns concerning collaboration, stakeholder coordination, risk management, dispute avoidance, and contractual innovation. Comparative evaluation of scholarly opinions and contractual developments further supports the formulation of coherent legal arguments and recommendations regarding the integration of Collaborative Management Teams into concession-based contractual arrangements.

3.4 Scope, Limitations and Ethical Considerations

The scope of this research is confined to the doctrinal examination of the evolving FIDIC collaborative contract model and the legal integration of Collaborative Management Teams within GCC giga-project concession agreements. It focuses on the contractual, legal, institutional, and governance dimensions of collaborative project delivery without undertaking empirical assessment of specific infrastructure projects. The study is limited by its exclusive reliance on secondary legal materials, which means that its conclusions are based on published scholarship, legal analysis, and institutional documentation rather than direct practical observations. Nevertheless, the breadth of secondary sources provides a reliable basis for critical legal evaluation and conceptual development. Ethical considerations are maintained throughout the research by ensuring academic integrity, objective legal analysis, accurate representation of scholarly viewpoints, proper acknowledgment of intellectual contributions, and impartial evaluation of competing legal perspectives. The research further adheres to accepted standards of legal scholarship by avoiding bias, maintaining analytical transparency, and presenting balanced interpretations of the evolving collaborative contracting framework.

4. Results and Discussion

4.1 Presentation of Key Legal Findings

The doctrinal analysis demonstrates that the evolving FIDIC collaborative contract model represents a significant shift from traditional adversarial contracting toward a governance framework that prioritizes cooperation, transparency, and proactive dispute avoidance. The study finds that the integration of Collaborative Management Teams (CMTs) enhances contractual administration by establishing structured mechanisms for continuous communication, joint decision-making, and coordinated project oversight. Unlike conventional project management systems, where contractual obligations are often exercised independently by employers, contractors, engineers, and consultants, CMTs facilitate institutional collaboration without diminishing the legal rights and responsibilities of the contracting parties. The findings further indicate that collaborative governance is particularly valuable in GCC mega-project concessions, where projects involve multiple stakeholders, long concession periods, substantial financial investment, and evolving regulatory environments. By encouraging early identification of technical, financial, and contractual issues, CMTs contribute to more efficient risk management and reduce the likelihood of disputes escalating into formal legal proceedings. The analysis also reveals that collaborative structures strengthen project resilience by enabling stakeholders to respond collectively to changing project conditions while preserving contractual certainty.

4.2 Analysis of Statutory Provisions and Case Law

The analysis of statutory principles and relevant judicial developments indicates that collaborative governance is compatible with the fundamental objectives of modern contract law, including good faith, fairness, commercial reasonableness, and effective contractual performance. Although most GCC legal systems continue to recognize the binding force of contractual agreements and uphold party autonomy, they increasingly encourage practical mechanisms that promote cooperation and minimize unnecessary disputes. Existing legal principles governing concession agreements, public-private partnerships, and infrastructure procurement provide sufficient flexibility to accommodate institutional innovations such as Collaborative Management Teams, provided that contractual responsibilities remain clearly defined.

The examination of construction law jurisprudence further demonstrates that courts generally support contractual arrangements encouraging early dispute resolution, transparent contract administration, and effective stakeholder communication. Judicial reasoning in complex infrastructure disputes frequently emphasizes the importance of contractual compliance, procedural fairness, timely decision-making, and good faith cooperation throughout project implementation. These legal developments reinforce the conclusion that integrating CMTs into FIDIC concession contracts complements rather than conflicts with established contractual principles. The findings therefore suggest that collaborative governance mechanisms can operate within existing legal frameworks without requiring fundamental modifications to core principles of contract law.

4.3 Comparison with Existing Scholarly Views

A comparison of the present findings with existing scholarship reveals substantial agreement regarding the growing importance of collaboration in modern infrastructure procurement. Most scholars acknowledge that traditional construction contracts often encourage adversarial behaviour, fragmented decision-making, excessive contractual claims, and prolonged dispute resolution. Contemporary academic literature increasingly advocates collaborative contracting models capable

of improving communication, strengthening stakeholder relationships, and enhancing project efficiency throughout the project lifecycle. The present study supports these conclusions while extending existing scholarship by examining the formal integration of Collaborative Management Teams within the evolving FIDIC collaborative contract framework applicable to GCC concession projects.

Unlike much of the existing literature, which discusses collaboration primarily as a project management philosophy or organizational practice, this research emphasizes its legal and institutional dimensions. It demonstrates that collaborative governance should not be viewed merely as an informal management technique but rather as an integrated contractual mechanism capable of supporting legal compliance, contractual accountability, and effective project administration simultaneously. The study therefore contributes a more comprehensive doctrinal perspective by connecting relational contracting principles with formal concession governance and internationally recognized contractual standards.

4.4 Implications of the Findings

The findings have significant implications for policymakers, governments, project sponsors, contractors, engineers, concessionaires, legal practitioners, and financial institutions engaged in GCC infrastructure development. First, they indicate that incorporating Collaborative Management Teams into FIDIC concession contracts can improve project governance by institutionalizing regular stakeholder coordination, transparent communication, and collective problem-solving. Such collaborative structures are capable of reducing project delays, minimizing contractual disputes, improving risk allocation, and strengthening overall contractual performance.

Secondly, the findings suggest that future contractual reforms within GCC jurisdictions should encourage greater recognition of collaborative governance mechanisms while maintaining the legal certainty and balanced risk allocation that characterize FIDIC contracts. The integration of CMTs provides an effective framework for addressing increasingly complex legal, financial, environmental, technological, and operational challenges associated with giga-project concessions. Finally, the study highlights the broader evolution of international construction contracting toward relationship-based governance, demonstrating that long-term infrastructure success depends not only on carefully drafted contractual provisions but also on institutional mechanisms that promote cooperation, adaptability, accountability, and shared responsibility throughout the concession lifecycle. The adoption of collaborative governance within the FIDIC framework therefore represents an important advancement in achieving sustainable, resilient, and commercially successful infrastructure development across GCC countries.

5. Conclusion

5.1 Summary of Major Findings

This study examined the emerging FIDIC collaborative contract model with particular emphasis on the integration of Collaborative Management Teams (CMTs) into Gulf Cooperation Council (GCC) giga-project concession agreements. The doctrinal analysis demonstrates that the growing complexity of modern infrastructure projects requires contractual frameworks that extend beyond traditional risk allocation and dispute resolution mechanisms. The findings indicate that collaborative governance enhances project administration by promoting structured communication, coordinated decision-making, proactive risk management, and continuous stakeholder engagement throughout the project lifecycle. Rather than replacing conventional contractual obligations, Collaborative Management Teams complement existing FIDIC provisions by creating institutional

arrangements that facilitate cooperation while preserving legal certainty and contractual accountability. The study further establishes that concession-based infrastructure projects, characterized by long operational periods, multiple stakeholders, significant financial investment, and evolving regulatory requirements, are particularly suited to collaborative governance mechanisms. The analysis also confirms that the evolving philosophy of FIDIC contracts reflects a broader international movement toward relationship-based contracting, emphasizing dispute avoidance, transparency, and shared responsibility. Consequently, integrating CMTs offers a practical governance model capable of improving contractual performance, strengthening project resilience, reducing adversarial conduct, and supporting the successful delivery of complex GCC mega-projects.

5.2 Achievement of Research Objectives

The research successfully achieved its stated objectives through a comprehensive doctrinal examination of collaborative contracting within the FIDIC framework. It analyzed the evolution of FIDIC contracts from traditional transactional arrangements toward more collaborative governance structures capable of addressing the challenges associated with contemporary infrastructure development. The study evaluated the legal and operational role of Collaborative Management Teams within concession agreements and demonstrated their contribution to effective stakeholder coordination, integrated project management, and proactive dispute avoidance. It further examined the compatibility of collaborative governance with established contractual principles, concluding that CMTs can be incorporated into concession-based contractual arrangements without undermining legal certainty or contractual enforcement. Additionally, the research assessed the suitability of collaborative management within GCC infrastructure projects by considering the unique institutional, financial, and regulatory characteristics of regional mega-projects. Finally, the study formulated conceptual recommendations supporting the integration of collaborative governance into future FIDIC concession contracts, thereby fulfilling the overall purpose of providing a legal framework for more effective infrastructure procurement and project administration.

5.3 Limitations of the Study

Although this research provides a comprehensive doctrinal evaluation of the evolving FIDIC collaborative contract model, several limitations should be acknowledged. The study relies exclusively on secondary legal materials, including academic literature, legal commentaries, policy documents, and institutional publications, without incorporating empirical evidence from completed or ongoing GCC infrastructure projects. Consequently, the practical implementation of Collaborative Management Teams under diverse contractual and institutional conditions remains outside the scope of this research. The analysis is also confined to the legal and governance dimensions of collaborative contracting and does not undertake detailed examination of financial modelling, engineering performance, technological integration, or project-specific operational outcomes. Furthermore, differences among GCC legal systems, procurement regulations, and concession practices may influence the practical application of collaborative governance, limiting the generalizability of certain observations across all jurisdictions. Despite these limitations, the doctrinal methodology provides a sound conceptual and legal foundation for understanding the emerging role of Collaborative Management Teams within international construction contracting.

5.4 Concluding Remarks

The evolution of international construction contracting demonstrates that effective infrastructure delivery increasingly depends upon collaborative governance rather than solely on detailed

contractual drafting and reactive dispute resolution. As GCC countries continue to implement ambitious giga-projects designed to achieve economic diversification and sustainable development, contractual frameworks must evolve to accommodate greater institutional coordination, flexibility, and stakeholder cooperation. The integration of Collaborative Management Teams within the emerging FIDIC collaborative contract model represents an important advancement in achieving these objectives by combining established principles of legal certainty with modern approaches to project governance. Such collaborative structures strengthen communication, improve risk management, encourage early problem resolution, and support balanced decision-making throughout the concession lifecycle. They also contribute to more resilient contractual relationships capable of adapting to changing commercial, regulatory, technological, and environmental conditions without compromising contractual integrity. Accordingly, the continued refinement of collaborative contracting practices within the FIDIC framework has the potential to improve infrastructure governance, reduce project disputes, enhance investment confidence, and promote the long-term success of concession-based developments across the GCC. Future legal and contractual reforms should therefore continue to encourage structured collaboration as a central component of sustainable and efficient infrastructure procurement.

6. Recommendations

6.1 Legal and Policy Recommendations

The successful integration of Collaborative Management Teams (CMTs) into GCC giga-project concession agreements requires a supportive legal and policy framework that formally recognizes collaborative governance as a complementary component of modern infrastructure contracting. Governments and regulatory authorities should encourage the incorporation of explicit collaborative provisions within FIDIC-based concession contracts, clearly defining the composition, responsibilities, authority, and operational procedures of CMTs while preserving the contractual rights and obligations of the parties. Contractual clauses should establish structured mechanisms for regular stakeholder meetings, joint decision-making, information sharing, risk assessment, and early issue resolution to promote transparency and reduce the likelihood of disputes. Policymakers should also develop standardized contractual guidance for implementing collaborative governance within concession agreements to improve consistency across major infrastructure projects. Procurement regulations should encourage collaborative project management during all phases of project development, from planning and construction to operation and maintenance. Furthermore, legal frameworks should support alternative dispute avoidance mechanisms that prioritize negotiation, mediation, and collaborative problem-solving before formal arbitration or litigation becomes necessary, thereby reinforcing the preventive philosophy underlying the evolving FIDIC collaborative model.

6.2 Institutional Reforms

Institutional reforms are essential to ensure that collaborative governance becomes an effective operational reality rather than merely a contractual aspiration. Public authorities responsible for infrastructure procurement should establish governance frameworks that promote continuous coordination among employers, contractors, consultants, concessionaires, engineers, financiers, and regulatory agencies. Dedicated Collaborative Management Teams should be constituted at the commencement of each concession project with clearly defined reporting structures, decision-making protocols, and accountability mechanisms. Capacity-building initiatives should be introduced to train project managers, legal professionals, engineers, contract administrators, and public officials in collaborative contract management, relational governance, negotiation

techniques, and integrated risk management. Institutions should also promote the adoption of digital collaboration platforms that facilitate real-time communication, document sharing, project monitoring, and coordinated decision-making among project participants. Additionally, periodic performance evaluations should assess the effectiveness of Collaborative Management Teams using measurable indicators relating to stakeholder coordination, dispute avoidance, project performance, and contractual compliance. Such institutional reforms would strengthen governance quality and improve the long-term success of concession-based infrastructure projects throughout the GCC.

6.3 Recommendations for Future Doctrinal Research

Future doctrinal research should continue exploring the legal implications of collaborative contracting within evolving international construction law. Comparative legal studies examining the implementation of Collaborative Management Teams across different GCC jurisdictions would provide valuable insights into how national legal systems influence collaborative governance practices. Further research should also analyze the interaction between collaborative contracting and emerging areas of infrastructure regulation, including environmental sustainability, climate resilience, cybersecurity governance, digital infrastructure management, and smart city development. Additional doctrinal studies may evaluate how collaborative governance interacts with public-private partnership legislation, concession regulations, procurement laws, and dispute resolution frameworks in both civil law and common law jurisdictions. Researchers should also examine the contractual implications of integrating digital technologies, Building Information Modelling, artificial intelligence, and data-driven project management within collaborative FIDIC frameworks. Moreover, future scholarship should investigate the evolution of dispute avoidance mechanisms and their relationship with Collaborative Management Teams in promoting efficient and resilient project governance. Such research would contribute to the continued refinement of collaborative contracting principles and support future contractual innovation.

6.4 Way Forward

The future of GCC infrastructure procurement lies in developing contractual models that successfully combine legal certainty with collaborative governance, institutional adaptability, and sustainable project management. As infrastructure projects become increasingly complex and interconnected, contractual relationships must evolve from traditional adversarial approaches toward integrated governance systems that encourage shared responsibility and continuous stakeholder engagement. The evolving FIDIC collaborative contract model provides a strong foundation for achieving this transformation by incorporating structured collaborative mechanisms without undermining established contractual principles. Governments, industry professionals, financial institutions, and international contractors should work collectively to promote standardized collaborative practices that strengthen project resilience, improve investment confidence, and enhance contractual performance across concession-based developments. Continuous legal modernization, institutional capacity building, professional training, and policy development will be essential for ensuring the successful implementation of Collaborative Management Teams in future projects. By embracing collaborative governance as a central feature of modern infrastructure contracting, GCC countries can improve project efficiency, minimize disputes, strengthen stakeholder confidence, and support the successful delivery of sustainable mega-projects that contribute to long-term economic development and regional competitiveness.

References

1. Abdelalim, A., Hassanen, M., & ElSamadony, A. (2024). Risk Allocation and Sharing in Mega Industrial Projects from the Perspective of the New Yellow Book-FIDIC-2017 to Approach a Balanced Construction Contract. *Trans. Mach. Learn. Artif. Intell*, 12, 54–102.
2. Abdelwahab, M. A., & Nassar, A. H. (2024). Legal barriers and associated solutions of BIM implementation in the Egyptian AEC industry. *International Journal of Construction Management*, 24(13), 1431–1443.
3. Adnan, S. M., & Asghar, U. (2024). A critical examination of investor protection under the Securities and Exchange Commission of Pakistan about investment policies in Pakistan. *Southern Journal of Social Sciences*, 2(02), 41–52.
4. Altaf, S. (2023). Impact of Cyber Harassment on the Self-Esteem and Academic Achievements of Pakistani Adolescents: In Gender Perspective. Zenodo (CERN European Organization for Nuclear Research).
5. Ashraf, U., & Alosaimi, A. (2026). Navigating Acceleration without Claims: Contractual Insights from FIDIC 2017 for Giga Projects. *Journal of Legal Affairs and Dispute Resolution in Engineering and Construction*, 18(4), 04526042.
6. Chan, I. Y. S., Ma, P., & Ho, T. Y. K. (2025). Impacts of relational and formal governance on information sharing and project management performance in collaborative contracts: A mixed-method approach. *Journal of Construction Engineering and Management*, 151(7), 04025080.
7. Chaudhary, S. I., Asghar, U., & Afzal, M. (2024). Examining restorative justice: Different approaches in Islamic customary law and international practices. *PAKISTAN ISLAMICUS (An International Journal of Islamic & Social Sciences)*, 4(02), 41–54.
8. Cho, H., Jung, W., & Park, C. Y. (2025). Knowledge-Driven Claim Governance: A Checklist of Entitlements and Procedures in FIDIC and National Standard Contracts. *Buildings*, 15(21), 3955.
9. Kanwel, S., Asghar, U., & Khan, M. I. (2024). From Violation to Vindication: Human Rights in the Aftermath of Crime. *International Journal of Social Science Archives (IJSSA)*, 7(2).
10. Kanwel, S., Khan, M. I., & Asghar, U. (2024a). Crimes and Consequences: A Human Rights-Based Approach to Criminal Justice. *International Journal of Human and Society*, 4(01), 1073–2024.
11. Kanwel, S., Khan, M. I., & Asghar, U. (2024b). Human rights at the crossroads: Navigating criminal justice challenges. *PAKISTAN ISLAMICUS (An International Journal of Islamic & Social Sciences)*, 4(01), 139–149.
12. LAWAL, K. (2025). The Impact of Early Neutral Evaluation and Collaborative Techniques on Dispute Resolution in FIDIC-Based Construction Contracts.
13. Manzoor, B., Asghar, U., & Fatima, M. (2024a). Investigating the Effects of Poverty on Pakistani Youth and Methods for Reaching the Sustainable Development Goals. *Qlantic Journal of Social Sciences*, 5(2), 337–347.
14. Manzoor, B., Asghar, U., & Fatima, M. (2024b). Investigating the Effects of Poverty on Pakistani Youth and Methods for Reaching the Sustainable Development Goals. *Qlantic Journal of Social Sciences*, 5(2), 337–347.
15. Moradbeygi, S. R., & Abrari, V. (2024). Modernizing Iran's Construction Contract System: A Comparative Analysis and Strategic Roadmap.
16. Osifo, E. O., Omumu, E. S., & Alozie, M. (2025). Evolving contractual obligations in construction law: Implications of regulatory changes on project delivery. *World J. Adv. Res. Rev*, 25(3), 1315–1333.

17. Rasool, S., Chen, Y., Udeaja, C., & Fong, D. (2025). Unified Risk Approach for Construction Contracts: A Comparative Analysis of NEC, JCT, and FIDIC from a Contractor's Perspective. *CIB Conferences*, 1(1), 283.
18. Sydenham, R., Lund, A., & Ball, E. (2023). Are Standard Form Construction Contracts Fit for the 'Smart Infrastructure' of the Future? *Const. L. Int'l*, 18, 22.
19. Zafar, M. U., Asghar, U., & Fatima, M. (2024). Social Economic and Administrative Hurdles to Health and Wellbeing: Evidence from Punjab, Pakistan's growing immunization program. *Competitive Research Journal Archive*, 2(04), 1–14.
20. Zafar, M. U., Baig, K., & Asghar, U. (2024). Ecological, Societal and Executive Management Leadership Development for Long-Term Sustainability in Academic Institutions. *Pakistan Journal of Humanities and Social Sciences*, 12(2), 1795–1803.
21. Zafar, S., Zaib, M. S., & Asghar, U. (2024). The progression of forensics and transitional justice within the framework of technological advancements in the justice system. *The Critical Review of Social Sciences Studies*, 2(2), 725–751.