

“El impacto de los DB para generar confianza en proyectos”

(The Use of Dispute Boards
for successful projects)

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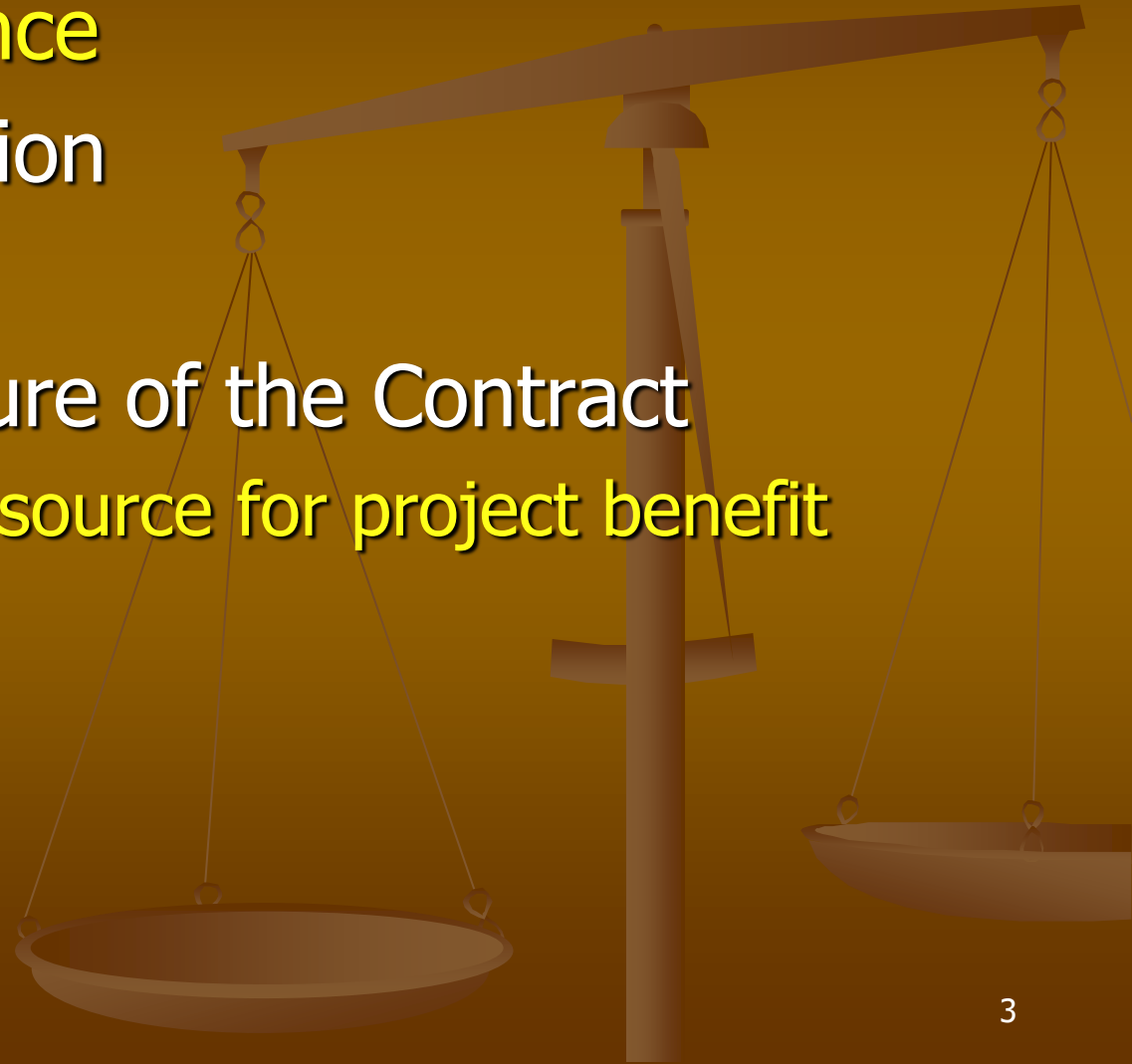
What are Dispute Boards?

- FIDIC suite of Contracts
 - Condition 20
- Bespoke contracts
- Single or multiple members

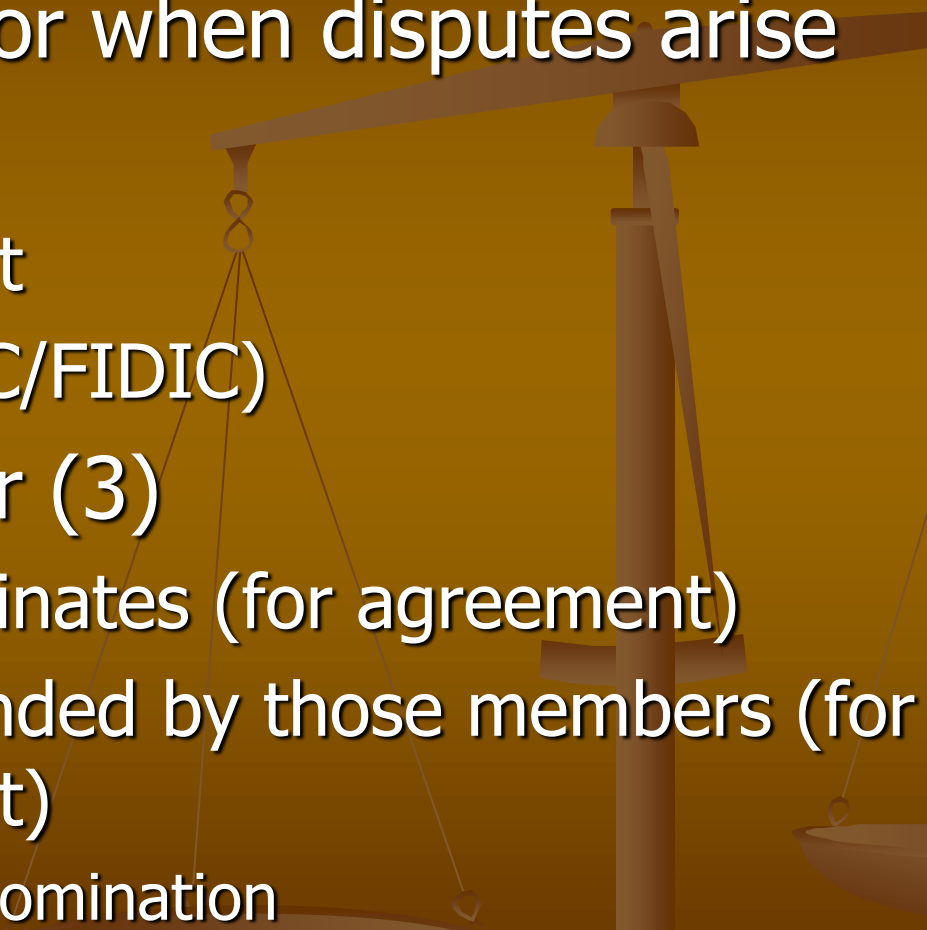
- Dispute Adjudication Boards (DAB)
- Dispute Resolution Boards (DRB)
- Dispute Review Expert (DRE)

Functions

- **Dispute Avoidance**
- **Dispute Resolution**
- **Embedded feature of the Contract**
 - **Independent resource for project benefit**



Appointment of the Board

- **Start of project** or when disputes arise
 - Sole member
 - Party agreement
 - Nomination (ICC/FIDIC)
 - Multiple member (3)
 - Each party nominates (for agreement)
 - Chair recommended by those members (for party agreement)
 - Or third party nomination
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Dispute Avoidance

- **Regular site visits**



Dispute Avoidance

- ~~Regular site visits~~
- **Regular project briefings**



Dispute Avoidance

- ~~Regular site visits~~
- ~~Regular project briefings~~
- **Fostering co-operation**



Dispute Avoidance

- ~~■ Regular site visits~~
- ~~■ Regular project briefings~~
- ~~■ Fostering co-operation~~
- **Identifying future problems**

Dispute Avoidance

- ~~Regular site visits~~
- ~~Regular project briefings~~
- ~~Fostering co-operation~~
- ~~Identifying future problems~~
- **Encouraging problem sharing and collaboration**

Dispute Avoidance

- ~~Regular site visits~~
- ~~Regular project briefings~~
- ~~Fostering co-operation~~
- ~~Identifying future problems~~
- ~~Encouraging problem sharing and collaboration~~
- **Suggesting solutions**

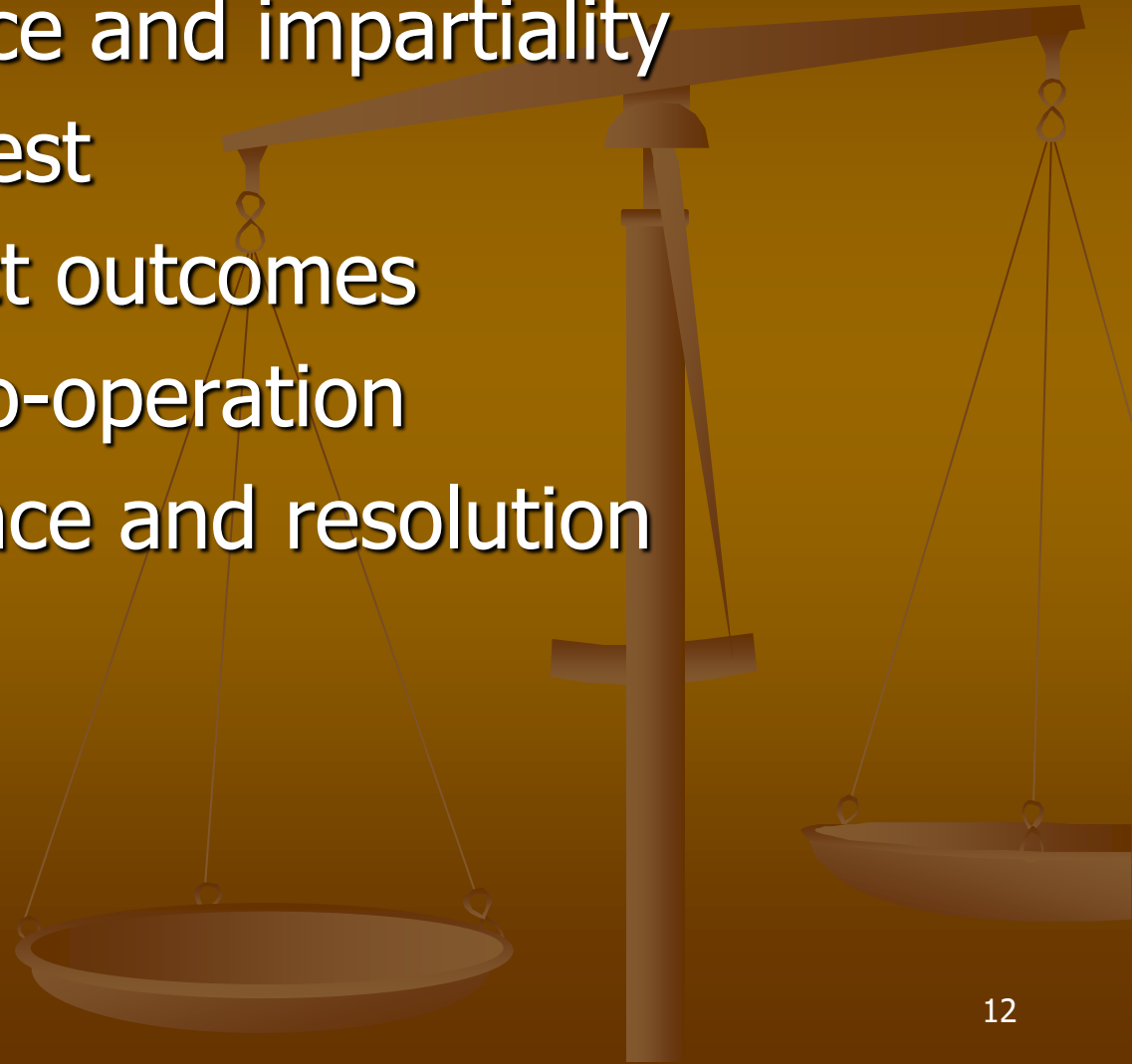
Dispute Resolution



- Either party may refer a dispute
- Referral to the Engineer (condition 3.5)
- Notice under condition 20
- Referral to the DB
- Applicable rules
- DB Decision
- Recommendations/Opinions

Benefits

- DB independence and impartiality
- No vested interest
- Focus on project outcomes
- Facilitation of co-operation
- Dispute avoidance and resolution
- Cost saving





Thank you

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