

FIDIC INTERNATIONAL TRAINING PROGRAMME TRAINING COURSE

Dispute Adjudication Boards: Duties and Responsibilities

Summary

The programme aims to:

- explain the use of DABs in the FIDIC Construction and Plant and Design-Build Contracts and the application of Dispute Board rules and procedures. The FIDIC Short Form of Contract and the FIDIC EPC/Turnkey Contracts are also covered, using the Construction and Plant Contracts as the basis.
- explain the procedures and application of the Dispute Adjudication requirements under these contracts to those wishing to work as dispute adjudicators as well as those who will use Dispute Adjudication Boards either as an Employer, Engineer or Contractor.
- focus on the experience gained from DAB processes for those with a good basic understanding of DAB processes and procedures, but need in-depth practical knowledge and problem solving scenarios.

Programme (two days; also available as a one-day course or seminar)

Day 1	1	Adjudication principles <ul style="list-style-type: none"> - What is a Dispute? - Background of Dispute Resolution - Alternative Methods of Dispute Resolution - Application in the USA and Europe - Dispute adjudication under FIDIC/MDB Contracts
	2	Dispute resolution <ul style="list-style-type: none"> - Under FIDIC Contracts - Under ICC and DBF Rules
	3	Legal status of an Adjudicator and DABs
	4	DAB Establishment and Responsibilities <ul style="list-style-type: none"> - Selection Process - Appointments - Contract Agreement - Full term and ad hoc responsibilities - Fees, expenses and payment terms
	5	Termination and replacement of a DAB
	6	Procedural Rules <ul style="list-style-type: none"> - Routine procedures - Full-term visits - Opinion and advice - Dispute referral - Jurisdiction
	7	Site visits, opinions and reports
Day 2	8	Dispute timetable and position papers <ul style="list-style-type: none"> - Establish timetable - Nature of position papers - Responses - DAB Directions - Evidence statements

9	Hearings	<ul style="list-style-type: none">- Pre-hearing requirements- Site visit before hearing- Attendees- Agenda and conclusions- Evidence- Conclusion of hearing- After the hearing
10	Dispute decision	<ul style="list-style-type: none">- Reaching the decision- Three-person DAB discussion- Format of decision- Unanimity- Enforcement of decisions