

# FIDIC-CORNERSTONE Seminar “Understanding DABs” Bucharest, Romania - 10/11 March 2015

Organised by:



Fédération Internationale des Ingénieurs-Conseils  
International Federation of Consulting Engineers  
Internationale Vereinigung Beratender Ingenieure  
Federación Internacional de Ingenieros Consultores

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## **Understanding DABs – FIDIC Adjudication Boards Seminar**

*“Enabling parties, their representatives, Engineers and Dispute Board members to understand and manage the DAB process.”*

**Workshop Leader :** *Edward Corbett, Corbett & Co, International Construction Lawyers Ltd, UK*  
**Assisted by :** *Aisha Nadar, FIDIC Updates Task Group, Senior Consultant, Runeland Law, Sweden*  
*Jim Perry, PS Consulting, France*  
*Leo Grutters, Engineer, Accredited Dispute Adjudicator FIDIC President’s list, Germany*  
*Taner Dedzade, Corbett & Co, International Construction Lawyers Ltd, UK*

**Venue :** *Athénée Palace Hilton Bucharest, 10 & 11 March 2015*

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### Day 1 - March 10<sup>th</sup>

Time	Topic
9.00	<b>Introduction</b> <ul style="list-style-type: none"><li>• DRB v DAB</li><li>• Dispute avoidance v dispute resolution</li><li>• Standing v ad hoc</li></ul>
9.45	<b>Appointment of Standing Boards</b> <ul style="list-style-type: none"><li>• Who?</li><li>• How?</li><li>• Dispute Adjudication Agreement, fees etc</li><li>• Objections</li></ul>
10.30	<b>Coffee</b>
10.45	<b>Dispute Avoidance</b> <ul style="list-style-type: none"><li>• Site visits</li><li>• Opinions and reports</li><li>• Dispute avoidance in practice</li></ul>
11.30	<b>Workshop 1 – Challenges and conflicts of interest</b>
12.45	<b>Lunch</b>
13.45	<b>Disputes and their resolution</b> <ul style="list-style-type: none"><li>• Definition of “dispute”</li><li>• Operation of clause 20</li><li>• DB Rules – FIDIC, ICC etc.</li><li>• Alternative methods for dispute resolution</li></ul>
14.30	<b>Ad Hoc DABs</b> <ul style="list-style-type: none"><li>• Appointments</li><li>• Considerations – who to appoint?</li><li>• Refusal to sign the DAA</li><li>• Jurisdictional objections</li></ul>
15.15	<b>Tea</b>

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15.30	<b>Workshop 2 – Jurisdictional challenges</b>
17.00	<b>Q&amp;A</b>
17.15	<b>Close of Day 1</b>

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## Day 2 - March 11<sup>th</sup>

Time	Topic
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9.00	<b>The Course of the Referral</b> <ul style="list-style-type: none"><li>• Notice of intention to refer</li><li>• Timetable</li><li>• Submissions</li><li>• Powers</li></ul>
9.45	<b>Evidence</b> <ul style="list-style-type: none"><li>• Factual witnesses</li><li>• Experts</li><li>• Documentation</li></ul>
10.30	<b>Coffee</b>
10.45	<b>The Hearing</b> <ul style="list-style-type: none"><li>• Or documents only?</li><li>• Presenters</li><li>• Who should attend?</li><li>• Agenda and format</li><li>• Site visit?</li></ul>
11.15	<b>Workshop 3 – Evidential issues</b>
12.45	<b>Lunch</b>
13.45	<b>The Decision</b> <ul style="list-style-type: none"><li>• Deadline and extension</li><li>• Form</li><li>• Enforcement</li><li>• Majority decision and dissent</li></ul>
14.30	<b>Termination and Resignation, Liability</b> <ul style="list-style-type: none"><li>• Normal ending of appointment</li><li>• Dismissal or resignation; replacement</li><li>• Liability of DAB members</li></ul>
15.15	<b>Tea</b>
15.30	<b>Workshop 4 – Mock DAB Hearing</b>
17.00	<b>Q&amp;A</b>
17.15	<b>Close of Workshop</b>