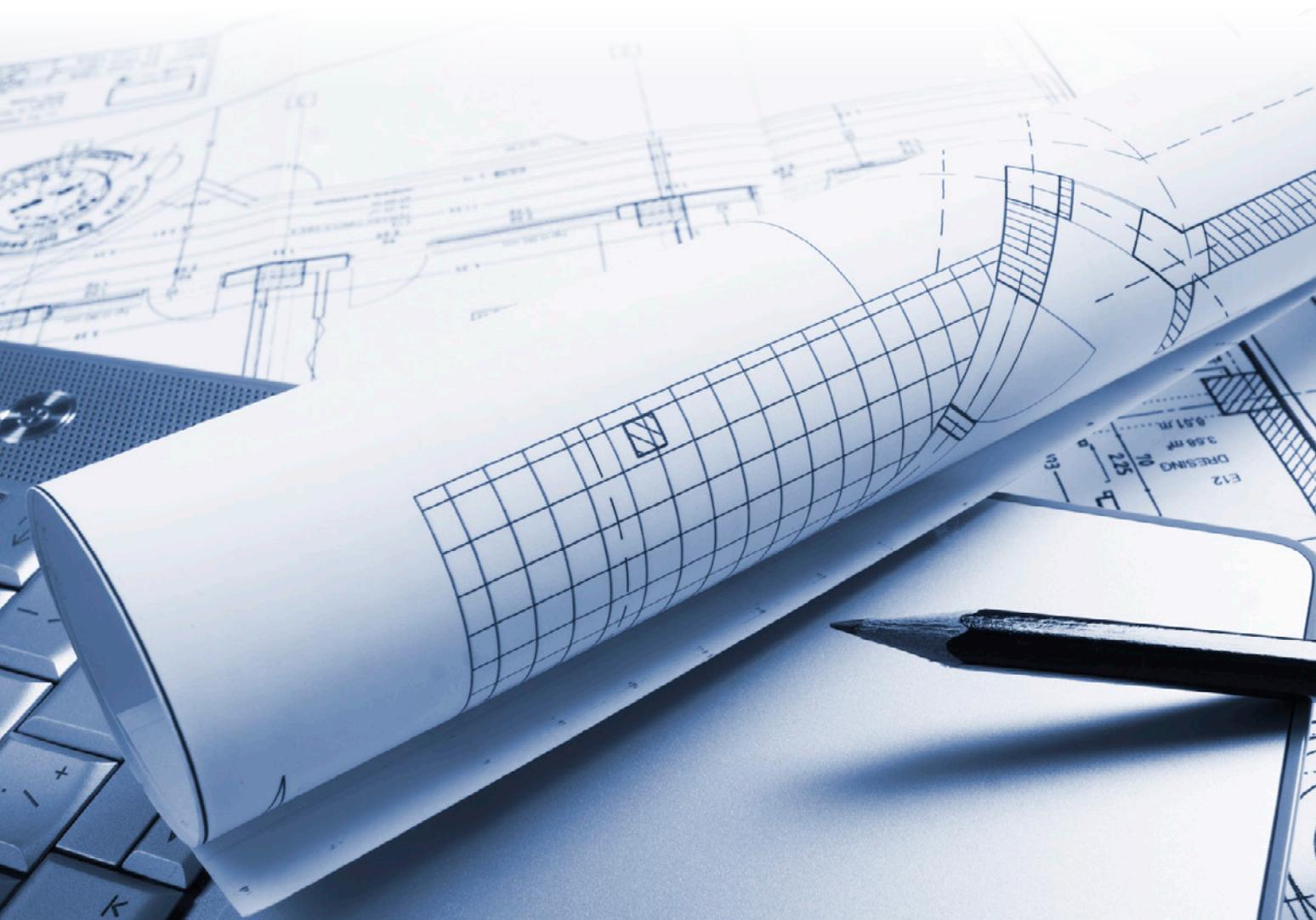




The Dispute Board  
Federation Presents Its:  
Intensive Dispute Board  
Training Programme

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## The Intensive Dispute Board Training Programme

The World Bank and all other multilateral development banks now require the use of Dispute Boards in infrastructure projects they finance. The reason being that the use of Dispute Boards prevents almost 99% of all project disputes from escalating into time consuming and costly litigation.

Training in the proper implementation and use of Dispute Boards as well as selection and training of potential Dispute Board Members is critical to the effective use of these boards and the economy they provide.

The Dispute Board Federation (Geneva) has realised that a specialised intensive training programme is needed and from that realisation this course has been created. The Intensive Dispute Board Training Programme takes participants, in an organized and structured way, through the leading methods of dispute resolution and prevention using Dispute Boards.

This course covers the contents of the FIDIC Contracts Training Manual dealing with dispute boards as well as the rules of the international Chamber of Commerce and the Dispute Board Federation (Geneva) Dispute Board Rules and Procedures. Participation is limited to 30 individuals with trainers providing detailed explanation, course notes, and case studies and leading in-depth discussions, almost at an individual level. Additionally each participant is given the opportunity of preparing a Dispute Board Decision for review and comment by the trainers.

Each participant who successfully completes this portion of the training is eligible for 16 credit hours by the Dispute Board Federation for its Professional Dispute Board Member Designation, and an additional 16 hours of CPD credit as authorised by both the Law Society and the Bar Council of England & Wales.

## Other DBF Programmes and Courses

This Intensive DAB Training Course is to be distinguished from other DBF training events that also cover the use of dispute boards. Other Dispute Board Federation events such as the FIDIC Contracts *Total Immersion* Programme and the Introduction to Dispute Boards Programme are courses where participants are involved in learning the basic framework of dispute boards in a less structured manner.

For those that already have a basic understanding of the Dispute Board Process this Intensive Course offers a form of “master class” which gives the participant in-depth practical knowledge and problem solving scenarios from the current leaders in the dispute board field. The trainers in this Intensive Training Programme are the leading experts in this field and their goal is to explain and illustrate the use and management, in a dispute board setting, of all aspects of the FIDIC® Conditions of Contract for Construction and the FIDIC® Conditions of Contract for Plant and Design-Build, the FIDIC® Short Form of Contract. Additionally the FIDIC® Conditions of Contract for EPC/Turnkey Contracts are also covered in detail, using the Construction and Plant Contracts as the basis. Also covered is the new FIDIC® DBO Contract. Further participants gain familiarity with the ICC® and DBF® Dispute Board rules and procedures.

This Intensive Training Programme is designed to help already knowledgeable participants gain the necessary confidence in working with the common dispute board documents and working on dispute boards in real world settings, and is applicable whether the participant's background is as a government official, employer, contractor, engineer, lawyer, or in representing employers, consultants or contractors.



## FIDIC Conditions of Contract

FIDIC Conditions of Contract are used by the international construction industry throughout the world. In Europe, the European Commission for many projects throughout central and Eastern Europe use them. The Multilateral Development Banks (MDB), including the World Bank, the IFC, the Inter-American Development Bank, the Asian Development Bank and the African Development, have adopted the FIDIC MDB Harmonized Edition of the Conditions of Contract for Construction, and the use of these forms of contracts along with the use of dispute boards continues to grow.



For more information visit [www.dbfederation.org](http://www.dbfederation.org)

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## Trainers

The course tutors are provided by specialist provider DBTraining, which is affiliated with DBF and specialises in Dispute Board training, dispute management and consultancy to the international construction and infrastructure industries. For this programme the tutors panel will be Dr Cyril Chern, Leo Grutters, Giovanni Di Folco and Ben Beaumont.



**Dr Cyril Chern** is the author of the three leading texts in the construction ADR field notably "*Chern on Dispute Boards*" published by Wiley-Blackwell Publishing, London [2007 and 2010], "*International Commercial Mediation*" published by Informa plc, London [2008], and "*The Law of Construction Disputes*", published by Informa plc, London [2010].

In addition to his texts on ADR he is also a Barrister, Chartered Architect, and Fellow of the Chartered Institute of Arbitrators, and a Chartered Arbitrator, Accredited Mediator and Adjudicator.

He holds the degrees of BArch (Honours) in Architecture & Engineering and Juris Doctor. Further he is a member of the FIDIC President's List and a member of the FIDIC President's List Assessment Panel, Fellow of the Dispute Board Federation and is on its Advisory Panel, the Association Suisse de L'arbitrage, the Society of Construction Arbitrators, and the Association of Consulting Engineers.

Dr Chern has practised internationally since 1972 specifically in the areas of engineering and construction disputes, has handled complex international commercial and construction matters in North and South America, Europe, the Middle East, and China and has had over 550 engineering construction dispute references and has served on over 125 dispute boards in that time.



**Ben Beaumont** is a Barrister and Fellow of RICS, a member of the FIDIC President's list of Dispute Adjudicators; a member of the Association for Consultancy and Engineering, a TECBAR Adjudicator; arbitrator; dispute board member. He has been appointed as Arbitrator in more than 168 disputes, of which 88 were construction references under

institutional and ad hoc procedures. More than 100 were international. Main contract, sub-contract and professional services disputes up to US\$98 Million. Additionally he has served as party appointed member, sole arbitrator and chairman, under UNCITRAL, CIETAC and ad hoc Procedures.

Considerable experience in drafting arbitration clauses and arbitration agreements.

As Adjudicator Mr Beaumont has resolved more than 14 disputes of which 5 were international as chair of Dispute Adjudication Boards and the balance under the Housing Grants Construction and Regeneration Act 1996.

Drafted contractual provisions and bespoke procedures for dispute boards.

As Mediator he has been involved in more than 20 international engineering disputes of which all were settled as a result of mediation.



**Leo Grutters** is a Civil Engineer and Dispute Resolution Expert with over 25 years of professional experience. He holds a Masters Degree in Business Administration and is a qualified Arbitrator and Adjudicator. He has been involved in many large prestigious international engineering projects. He is focused on the logical and fair resolution of contractual disputes thereby putting

the aim of the parties, i.e. a successful project execution as one of the prime targets.

Due to his extensive participation in international contractual dispute resolution procedures such as Adjudication, Dispute Boards and Arbitration, he can be regarded as a project-focused expert that understands the interaction between complex engineering methodologies and the unavoidable legal and commercial implications when seen in a contractual environment. Typical projects he has been involved in include Roads, Power Generation, Oil & Gas and Offshore.

He is a Fellow of the Chartered Institute of Arbitrators, a Fellow of the Dispute Board Federation as well as a member of the FIDIC President's List of Approved Dispute Adjudicators. He also regularly lectures on Proactive Contract Administration Systems & Procedures and he is a regular speaker at related international events.



**Giovanni Di Folco** is a Civil Engineer with over 30 years of Project/Contract Management and Claims' Expertise with extensive international experience gained in multi-disciplinary Civil Engineering Projects in Italy, Iran, Libya, South Africa, Kingdom of Lesotho, Sultanate of Oman, United Arab Emirates, Greece and Romania.

Additionally during this time he has represented many international contractors on more than thirty International Dispute Adjudication Procedures under the FIDIC Red, Yellow and Silver books and is considered an expert on the FIDIC Contracts.

He holds a BSc degree in Civil Engineering which includes a Bachelor in Technology of Construction Major in Civil Engineering with a Minor in Highways/Pavement design, he also holds a National Government Diploma in Civil Engineering and is a Professional Member of Dispute Board Federation Geneva, a Member of the Dispute Resolution Board Foundation (USA), a Member of the Project Management Institute (USA), and a Member of the American Concrete Pavement Association (USA).

Mr Di Folco has special experience in both Adjudications, Dispute Boards and Arbitrations as well as in Claims Resolution under international standards and has also authored numerous professional and technical papers on these subjects.



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## Course materials

### Participants will be provided the following materials, in English:

- Necessary excerpts of the FIDIC Construction Contract and the FIDIC Plant and Design-Build Contract as well as DBF forms
- Course overheads
- Work exercises
- Notes on the Multilateral Development Bank Harmonised Edition of the FIDIC Construction Contract

## Attendance Fees

The participant fee of GBP £1,900 includes lunches, refreshments and all course materials. There is a reduction of GBP £100 for more than one participant from an organisation.

## Who should attend

The training programme provides the necessary knowledge for professionals from government ministries and agencies, contract and procurement officers, private sector employers, consulting engineers, contractors, quantity surveyors, architects, legal advisers and all involved with the implementation and management of works contracts. This intensive programme is particularly important for those involved in preparing or managing infrastructure projects financed under funds provided by MDBs, bilateral development agencies and other such funds.

## Course Programme

### Topics covered in these two-day sessions include:

- Adjudication Principles
- What is a dispute?
- Background of dispute resolution
- Alternative methods of dispute resolution
- Application in Europe, Asia, the Americas
- Dispute adjudication under FIDIC Contracts
- Dispute adjudication under ICC Rules
- Dispute adjudication under DBF Rules
- Legal status of adjudicator and DAB's
- DAB Establishment and responsibilities
- Selection process and appointments
- Contract Agreement
- Full Term and Ad Hoc responsibilities
- Fees, expenses and payment terms
- Termination and replacement of a Dispute Adjudication Board
- Procedural Rules
- Routine Procedures
- Full-term site visits
- Opinion and advice
- Dispute referral
- Jurisdiction
- Site Visits and Reports
- Dispute timetable and position papers
- Establishing timetables; Nature of Position Papers
- Responses; DAB directions; Evidence statements
- Hearings
- Pre-hearing requirements
- Attendees
- Agenda and procedures
- Evidence
- Conclusion of hearing
- After the hearing
- Dispute decision
- Reaching the decision
- Three-Person DAB discussion
- Format of decision
- Unanimity
- Enforcement of decisions



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## Terms and Conditions

**The Cost:** The cost of the 2-day programme is GBP £1,900. If more than one person registers from the same company there is a 10% discount for each participant. There is also a special "early-bird" discount price of £1800 for those that register and pay more than 30 days prior to the event.

**Registration:** Participants may register offline with payment by credit card or by using this registration form returned by fax or mail to the Dispute Board Federation and with payment by bank transfer or credit card.

**Payment receipts:** Once registered all participants will then receive their own acknowledgement of registration, together with confirmation of payment along with all pre-course materials and information.

**Cancellation:** Cancellations by participants must be made in writing and received by DBF and a 50% cancellation fee (to cover administration) will be charged for cancellations received within seven (7) days prior to the commencement of the course. Cancellations received on the day of the course will incur the full course fee. Substitutions however may be made at any time.

**Cancellation by organisers:** DBF reserves the right to cancel a course if it is under subscribed or for any other reason. In the event of cancellation, the organisers will endeavour to give delegates two weeks notice and the fee will be refunded in full. The organisers cannot be held liable for any pre-booked travel or accommodation costs however.

**Hotel accommodation:** Participants will be responsible for organising their own hotel accommodation and meals not included in the programme and payment thereof.

## About DBF

The Dispute Board Federation was founded to promote the use of ADR and Dispute Boards, as a means of dispute avoidance on large infrastructure projects in developing countries. It has expanded over the past few years to encompass dispute boards in manufacturing, and other ventures including concessions, hospital, and industry development sectors.

The Federation provides advice and assistance in the development of infrastructure projects, trains and accredits dispute board members, produces standard forms for use in dispute avoidance on projects, acts as an appointing body for dispute board members, and provides training and assistance in other areas of effective dispute resolution through mediation and arbitration. The DBF currently provides assistance in over 23 countries worldwide.

## The Dispute Board Federation

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# The Dispute Board Federation

## Intensive Dispute Board Training Programme Registration Form

Please complete the registration and payment details. Upon payment receipt will be acknowledged immediately. Please use a separate form for each person attending.

### Details

First name: .....  
Family name: .....  
Position in organisation: .....  
Organisation name: .....  
Organisation address: .....  
.....  
Country: .....  
Postal Code/ZIP: .....  
Telephone: .....  
Fax: .....  
E-mail: .....

### Payment

GBP £1,900  GBP £1,800 for early bird registration

*\*If more than one person registers from the same company there is a 10% discount for each subsequent participant. There is also a special "early-bird" discount price of £1,800 for those that register more than 30 days prior to the event.*

### By bank transfer

Details of the Dispute Board Federation bank account will be included on the invoice that confirms registration.

### By credit card

I authorise the Dispute Board Federation to debit the following credit card:

Visa  MasterCard  AMEX

Date: .....  
Amount: .....  
Card number: .....  
Expiry date: .....  
Security/CVC Number: .....  
Cardholder name: .....  
Card address: .....

I have read and accept the Terms and Conditions:

Dated: .....  
Name: .....  
Signature: .....



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