

DRBF 14th Annual Meeting & Conference: A Report from Charleston

By Jim Brady

This year's conference was held in the most beautiful city in the US. True it is hot here in the summer but Fall brings a lessening in the temperature - and hurricane season. The week prior to the conference we had heavy rains, but the hurricanes, as directed, went elsewhere and we had perfect weather for the conference.

Prior to the official start of the Annual Meeting & Conference was a day for DRB training. Here it had been discussed to aim training at two different groups. One was for new comers, persons not familiar with the DB process, potential practitioners or those who should have at least knowledge of the process. The instructors were Doug Holen and Steve Goldblatt. This was a good course and well received, with lots of content in just five hours. The second was the DRB Update workshop, a course often discussed at the Board of Directors' meetings, designed to keep members attuned to the DB principles, case histories and ethics. The acknowledgement of successful completion can be added to your DRBF on line resume. This course was taught by Roger Brown. There was a tremendous amount of exchange between the participants relating their experiences and approaches to problems often faced by DBs. Roger kept the session interesting, moving from topic to topic inviting participation from all who attended. Roger's guidance and total interaction made it a very worthwhile session. Time moved very quickly. This refresher course is one the Foundation should offer and promote at every opportunity. It is an opportunity to sit with other practitioners, discuss view points, problems and ethics on a real world basis. Each member comes away with a refined set of 'best practices'.

The Welcome Reception on Thursday was held in the Fancies Marion Hotel's upper lobby. This is the grand old hotel of Charleston. It had been extensively remodeled to recapture its early opulence. It was a perfect host hotel, located in the heart of the historical district. One thing not readily known is that after the Second World War General Dwight Eisenhower had maintained a floor in the hotel Pierre in NYC that overlooked the south east corner of Central Park. General Mark Clark lived in the top floor of the Francis Marion overlooking the old Citadel parade grounds.

It was great to see so many old friends arrive early and so many of the training participants stay after class and mingle. It was very well attended and looked as if lots of networking was in progress. It was a great kick off for the conference to follow early the next morning.

From the beginning we had planned this to be an interesting, informative and innovative conference. Because Charleston is a very interesting place to visit we decided the three half-day format would work best. The three morning sessions each had a general theme. The afternoons were left for exploring Charleston with several planned special events thrown in for good measure. More about these further on. First we will discuss the conference's three morning sessions.

After some brief introductions from incoming president Jack Norton, I had the privilege of introducing our kick-off speaker and friend, Mayor Joe Riley. The mayor was aware of the goals and aims of the DRBF. Charleston has over 3 million visitors a year, and Joe is asked to speak almost daily in Charleston and across the country. His staff wanted to slate him in for the standard three minutes of '*Welcome to Charleston.*' Joe said 'no' and we all benefited from his deep insights to Charleston's history, its preservation and continued development. Maybe 'insights' is not the proper word, as to me

it evokes ‘observations.’ Mayor Riley, during his 34 years as mayor, has not been an observer. He is the inspiration and the driving force. It was a true compliment our Foundation for him to share so much time with us.

Each day’s session had a general theme. The first day was lead by Bill Baker and concentrated on DRBF members who are involved with the ins and outs of the process. It included an in-depth look at current DRB specifications pointing out some things to look for and look out for, with discussion led by Steve Goldblatt.

The next session was guided by three of the most dedicated members of the DRBF, Bill Edgerton, Joe Sperry and Pete Douglass. These three along with Bill Baker are in the process of revising the DRBF Manual. I’ve sat in on one of their work meetings, and it is awesome to see how dedicated and determined they are to refining and improving an already excellent document. Their session gave some insight to the processes that go into shaping the Dispute Board procedures, and more importantly the thoughts behind the processes.

The third morning’s session reflected on one of the DRBF’s continuing major areas of heightened awareness, ethics. Jim Phillips very ably led the group. Whether with the pros and cons of the arguments presented in a dispute or just the presenting of a Board member disclosure statements, gray areas need to be avoided at all costs. Any hint of a non ethical practice or a bias severely damages the DB process. Jim writes an informative column in each issue of the Forum. Everyone took something away from this session.

Our lunch speaker was a delight. Dean Andy Abrams came highly recommended by several Charleston friends. I confess I had concerns about the dean of a law school in front of our group, but once we met for lunch all fears subsided. His ‘*Irreverent Look at Charleston*’ was a hoot, with insider information that was historical, and even better yet, true. It took a little of the halo off the ‘Holy City’ but made it a far more interesting place. We even had pirates, red light districts, speakeasies and questionable politics. Can you believe that?

Saturday’s general theme was about the future of the Foundation, “*The Road Ahead, New Markets and Expanding Markets.*” This was spearheaded by Blase Reardon who was assisted by several, in particular Kurt Dettman.

The first session was ‘*Current Status of the US Energy Industry*’ by Dr. Lester Lave. This is a major concern to all Americans. It was good to get insights from one who knows the industry. To at least reduce somewhat our dependency on foreign oil, the US will have to develop our natural gas potential, purify our burning of coal, revive our nuclear industry, and conserve energy with pump storage. These are all multi-billion dollar industries requiring heavy construction contracts, a DRBF area for sure.

Next followed Kurt Dettman’s presentation on “*Energy Industry Opportunities and Challenges.*” He explored the needs for dispute resolution in these areas with a very distinguished group of panelists closely associated with the needs and opportunities.

Day two’s final session was “*Spreading the Message,*” a topic close to Blase Reardon’s heart as well as many others. Examples were given as how the DRBF is approaching new markets both domestically and internationally. The report of the Marketing/Outreach Committee detailed the efforts to date and where they are headed next. As a formal effort of the Foundation this is a relatively new undertaking.

Tremendous strides have been achieved under guidance of Blase Reardon along with his team in less than a year.

Our new Region 1 President, Roger Brown, also has outreach at the top of his agenda for the coming year. As Saturday's lunch speaker he defined his direction and elaborated on how to achieve the DRBF's goals.

Sunday's general theme was "*Where Does the Foundation Find Itself Today?*" This was led by our incoming DRBF Executive Board President Jack Norton. What have we achieved in our 13 years since our founding? Well for starters, we are 700 members strong with members in 50 countries. We have two full fledged regions with an emerging Region 3 in Australia. In total there are DBs on approximately \$200 billion dollars of construction work around the world.

Dr. Ralph Ellis' presentation "*Success of DRBs in Florida*" was outstanding. The conclusions supported with charts and graphs were overwhelmingly conclusive. His study along with others such as Jim Haggins' Washington Metro's Case History should convince an owner.

The next session on the "*Owner's Perspective on DRBs*" chaired by Doug Holen had a most outstanding panel of owner representatives: Larry Drolet, Ken Lewaine, Eric Smith, Stephen Spohrer and Levent Irmak. This panel represented a vast range from first time owners to the largest construction projects in the US, to underground, to universities, to vertical construction and to international construction.

There were two very interesting sessions on major world class projects. Levent Irmak presented an overview of the Marmaray Project, a tunnel project in the Bosphorus, and its challenges such as multiple TBMs, sunken tube tunnel placed against swift currents, and archeology finds so numerous it set excavation back three years.

Steve Spohrer presented the John J. Audubon Bridge, the longest stayed cable bridge spanning the Mississippi River. An excellent presentation! The major difficulties, the efforts required to move past them, and how Mother Nature may not always be on your team.

The final session was by Ken Lewaine on the NYC \$25 billion dollar transit project constructed by the MTACC. This involves construction of a major section on the Second Avenue Subway from 96th to 63rd Streets. Multiple construction contracts contain new stations at 96th Street, 86th Street, 72nd Street and a reconfiguration of the existing 63rd Street Station. Another major component of the current undertaking is the East Side Access. This will allow the Long Island Railroad to access Grand Central Terminal and the East Side of midtown Manhattan. This involves carving a twin 1,200 foot long 4 train stations in the rock deeply below the existing Grand Central Terminal without disturbing any existing train traffic. Easy? Just ask the contractor. A third major project is the extension of the 7 Line Subway. This will run from GCT past Times Square under the port authority bus terminal through down 11th Avenue with a new station near the Javits Center. A project ahead of schedule in NYC. Wow! Twenty-five billion is a lot of money even for NYC. All the major underground individual contracts have Dispute Boards where our DRBF members fill most of the slots. Ken's presentation was outstanding.

The conference officially closed with a farewell luncheon. There were no speakers but some very heartfelt 'Thank-Yous' to all those who contributed and all who attended. All three days were of the highest standards. The high quality of the final day's program and the wrap-up luncheon appear to be

very good ideas. From a quick count at the sessions and lunch it appeared there was about 80% retention of attendees. A record!

Conference Extra Events

There is always plenty to do all hours of the day and night in Charleston. To help attending significant others get the lay of the land, a Friday bus tour of Charleston and the immediate area was made available. It hit many of the major historical attractions. It helped orient a newcomer with physical location and historical background. This was followed up on Saturday with a walking tour with on-the-spot narrations by the best tour guides in Charleston, covering such topics as why it's called the Holy City, the four points of law, historic churches, cemeteries and who is buried in them, houses, the Battery, Waterfront Park and the Provost Dungeon.



Other afternoon tours included the Yorktown Aircraft Carrier where Adm. Jim Flatley, a Korean wing commander and carrier captain, stopped by to talk with our group. Jim's father was also an Adm. in World War II and led the Navy's famous Grim Reapers Squadron.

The Hibernian Hall tour was led by Don Williams, a prominent Charleston attorney, Hibernian historian and author of books on the Hibernians and the Charleston Irish. Don made the building's history and the portraits on the walls come alive. It is very interesting how many Charlestonians played key roles in the founding of the republic right up through today. Many of them were Irish. Even though South Carolina was the most tolerant religious colony in the US it allowed all religions to freely practice – that is all except Catholics. That freedom came only when the Irish Volunteers linked it to military service in the Civil War was it extended.

The court house tour was conducted by Terry Sheehan. What a fine tour it was. He knew the building to the last detail, the chambers of the various judges and the portraits on the wall. Very, very interesting histories. We stood in the court room where Thurgood Marshall argued the first civil rights case in Separate but Equal. A portrait of a reluctant federal court judge who wouldn't get up from his nap to take a call on his appointment from President Truman. After Truman was elected he needed to

make an appointment. All South Carolina known attorneys had voted for Strom Thurman. This fellow had not, hence the appointment.

The gala dinner and awards banquet was held at the Middleton Plantation and Gardens. Cocktails in the stable yard and strolling the beautiful gardens were enjoyed by all prior to a southern style buffet dinner. Dancing and entertainment was provided by Ann Caldwell and her band. We learned Gullah, spirituals, rhythm hand clapping and listened to some great vocals and music. How Ann isn't on stage in NYC I think is only due to her love of Charleston.



The Al Mathews awards were given to two very deserving candidates. Gwyn Owen, who has worked tirelessly for the Foundation in many areas, two being his mentor program and his guidance when president. Unfortunately Gwyn could not be with us on this occasion.

The other recipient was Bob Rubin. It is hard to find a parallel with Bob's outstanding service to the DRBF. He has served and chaired numerous committees as well as serving as president. If a DB problem is to raise its head, get on the phone to Bob for sage advice.

It would be difficult to find in our ranks any more deserving individuals. Romano, excellent choices by you and your committee.