



# **The Dispute Resolution Board Foundation**

Fostering common-sense dispute resolution worldwide

## **Summary Minutes of the DRBF Board of Directors Meeting Friday, March 24, 2006 by Conference Call**

The following Board of Directors members participated in the Board of Directors meeting by conference call: William B. Baker (V), Peter Chapman, James Donaldson (V), Peter M. Douglass (V), William W. Edgerton (V), Harold V. McKittrick (V), Jack Feller (V), Robert A. Rubin (V), Robert J. Smith and Jack J. Woolf. Larry Delmore, Steve Fox, Kerry Lawrence, Ann McGough and Joe Sperry participated by invitation.

The following BOD members were unable to participate: Armando Araujo, Bernard Becq, Gordon L. Jaynes, Daniel F. Meyer, John Norton, John W. Nichols, Gwyn Owen, and Marianne Ramey.

Note: (V) represents voting Board members.

### **Outlook for Training and DRBF Revenue**

Larry Delmore stated that CalTrans has approved payment for the first installment of their upcoming training programs. He also noted that in May, CalTrans is prepared to execute their 2<sup>nd</sup> task order for training.

Organizers for the North American Tunneling (NAT) Conference would like to schedule a half day training session in conjunction with the upcoming conference on June 10. This would be a half day refresher course with some exercises built in. Bill Edgerton is presenting a session during the conference in the afternoon, and the training would be in the morning. The price would likely be less than the normal full-day training costs (the Education Committee has been considering \$195). In addition, the program could accommodate more participants than the normal training session of 30 people. It was noted that training programs usually result in new members.

The Ohio DOT is planning training in two cities. Other workshops in the planning stages include a Chairing workshop in Connecticut in May or June, and both A&P and Chairing in New York in May or June.

### **Memorandum of Understanding Between DRBF and the Construction Institute**

A memorandum of understanding (MOU) between the DRBF and the Construction Institute (CI) of ASCE was distributed to the board members prior to the meeting. Larry Delmore offered an overview of the opportunity and the notable changes in the latest version of the MOU. The primary focus is to offer joint training on DRBs.

Larry Delmore cited improved language in the section on the DRBF's role, and noted that claims and project management have been removed from the MOU. Hal McKittrick asked about the references to the language used regarding training and continuing education units (CEUs). Larry feels the wording allows the DRBF the flexibility to do training with or without CEUs, as long as both groups find it acceptable.

The BOD agreed to endorse the MOU with CI. The MOU will be executed by President Hal McKittrick. There would be a formal signing ceremony to open the CI Conference in Chicago on June 15.

### **DRBF Database**



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President Hal McKittrick introduced this topic by noting that the organization has struggled to get data input into the database, yet it is the lifeblood for showing the health, success and viability of the DRBF's efforts. Joe Sperry gave an overview of the efforts of John Nichols and others to obtain the needed information, but to no avail. The revised manual is nearing completion yet there is no new information in the database. His recommendation is to put the revised manual out without the database updates.

Joe Sperry then asked Larry Delmore if the information is as important as the board has indicated. Larry confirmed that yes, owners are anxious to see the data. It is an important part of his discussions with both private and public owners considering the process. The information also helps lend credibility and weight to papers he is able to write for various publications and conferences.

It was suggested that Steve Fox could take over management of the data again with Joe's support. Larry offered to issue a letter to all DRBF members demonstrating how the information is used. Numerous ideas were suggested, and it was decided that Steve Fox would set up a conference call between Joe Sperry, Larry Delmore, Ann McGough and himself to further discuss these ideas. President Hal McKittrick reiterated his support for the effort as a critical need for the DRBF.

## **Other Business**

Peter Chapman reported 32 people have registered for the Budapest conference to date, and he encouraged board members to register. As many as five board members expressed plans to attend the meeting.

Directors' attendance at Board meetings: President Hal McKittrick announced that he is very concerned about Board member attendance at meetings, and noted that repetitive absences make him question a member's commitment to the DRBF. Prior to the Chicago meeting, he intends to speak personally to each member who has participated only on occasion and reconfirm their level of commitment. If their circumstances have changed, they may want to reconsider whether they wish to remain on the Board. The bylaws allow the president to remove a director for not regularly attending meetings. He recognizes that schedule conflicts do arise, but they should be occasional. He noted there are other people anxious to participate on the DRBF Board and his preference is to see the positions filled by those who have the time and enthusiasm required to fully serve the organization. Hal will report a recommended course of action at the Chicago meeting.

The next BOD meeting is a face to face meeting in Chicago on May 19-20. If any DRBF member has topics for the agenda, it should be sent directly to Hal McKittrick for consideration.

**The meeting concluded at 1:00pm. The next meeting is scheduled for Friday, May 19, 2006 beginning at 1:00 p.m.**

**Meeting Minutes submitted by Ann McGough.**