



The Dispute Resolution Board Foundation

Fostering common-sense dispute resolution worldwide

Summary Minutes of the DRBF Board of Directors Meeting Friday, October 6, 2006

A DRBF Board of Directors meeting was held in Orlando, Florida on October 6, 2006 with the following participants: Romano Allione (V), William B. Baker(V), Bernard Becq (V), Peter Chapman, Jim Donaldson (V), Peter M. Douglass (V), William W. Edgerton (V), Jack Feller (V), Gordon L. Jaynes (V), Harold V. McKittrick (V), Daniel F. Meyer, John Norton (V), Gwyn Owen (V), Marianne Ramey (V), Robert A. Rubin (V), Robert J. Smith (V), and Jack J. Woolf. Armando Araujo (V) and Joe Sperry were unable to participate. James Brady, Roger Brown, Larry Delmore, Steve Fox, Don Henderson, Volker Jurowich, Kerry Lawrence, John Madden, and Ann McGough participated by invitation.

Note: (V) represents voting Board members.

Introduction

Outgoing President Hal McKittrick opened the meeting, welcomed all attendees including the new incoming Board members, and then turned the meeting over to incoming President Pete Douglass. Pete made some introductory remarks, noting that the Nominating Committee's slate of candidates and bylaw changes had been approved by e-mail voting of the general membership. The elected slate of Officers and Directors consist of:

Gwyn Owen – President Elect

James Brady – Director

Roger Brown – Director

Volker Jurowich – Director

Kerry Lawrence – Director

John Madden - Director

Current Directors whose term ended in 2006 include Armando Araujo, William Edgerton, Gordon Jaynes and John Nichols (deceased) and the DRBF wishes to express its sincere appreciation for the considerable efforts that each has expended in support of the DRBF.

Annual Meeting

Larry Delmore reviewed the goals of the planning committee for the agenda, and noted that he has heard enthusiasm for the agenda from numerous members. Jack Norton noted there were a few slight changes to the agenda, including the addition of Ferdinand "Ferdie" Fourie from Kiewit who would be speaking on Sunday. Several members noted that the NASA Up Close tour had gone very well.

Finance and 2007 Budget

The finance report was distributed to the attendees, which included a Budget Draft Summary. Jim Donaldson pointed out changes to the membership targets for this year. In



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the past, projections have been aggressive, but reality has followed a steady pattern. This year's projections are thought to be realistic. He also noted the need for some new ideas to drive membership. Overall, it is thought that the organization needs to attract younger members.

The workshop targets were discussed, and it was noted that there are expected to be several workshops between now and the end of the year, including Caltrans, Ohio DOT, and CI/ASCE.

Larry Delmore indicated that he has had several requests to print the Member Resumes in a hard copy format. He felt this should be done because it properly services both DRB users (customers of the process) and members, who perceive value in getting their CV in the right hands. It was noted that the printed document would not imply endorsement, much like the online version with the appropriate disclaimers. After some discussion, a motion was passed to create the printed version and provide it to the marketplace for a fee.

It was noted that legal and accounting costs are increased this year because there will be a full audit and not just a review.

Education and Training

Committee Chair Kerry Lawrence shared a plan to set up regional workshops which would require no travel costs and which would utilize a standard power point program for instruction. The committee would also like to gauge interest in a one day workshop on the FIDIC model, with the idea that it would introduce the system to North Americans who might consider serving on DBs abroad. If there is sufficient interest, introductory training workshops will be scheduled as they are already available. Jack Norton noted that such introductory workshops would be a great option for continuing education for some of the members who have already completed the existing programs. Offering the course would be a way of gauging interest and knowing for sure who is interested. It was noted that some may be interested once they understand some of the differences in the process. A notable example is that international DBs typically offer a retainer on top of the daily fee, something that might peak the interest of those who initially did not think they would want to work abroad. It was agreed that interest needed to be established before proceeding with the scheduling of training workshops, and that an article would be printed in the January issue of the Forum to lay out the basic system..

With regards to the co-trainer program, the committee's goal is to have at least 8-12 co-trainers throughout the country by year's end. The committee will ask potential co-trainers to spend no more than 4 days per year (2 sets of 2 day workshops) since they would receive no compensation, only travel costs, lodging and meals.

Several regions/agencies are focused on providing skills-based training (like "How to Present to the DRB"). Florida has been doing this for eight months, and Caltrans and AGC of California have also expressed an interest in adding those to their offerings.



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Executive Director

Executive Director Larry Delmore noted that the training programs have been the best marketing tool for him. He is excited about upcoming opportunities with the City of San Francisco, a contact that came from a Caltrans training and AGC recommendation.

Larry noted he feels the DRBF is at the tipping point, with calls coming in regularly. He no longer has to cold call on the Foundation's behalf.

There continue to be inquiries from other industries to expand the DRB process outside of construction. The most recent inquiry comes from companies with offshore service contracts.

Proposed DRBF 10 Year Plan

Hal McKittrick reviewed the proposed plan, which had been distributed to the BOD prior to the meeting. He urged Board members to accept the basic difference that DBs provide "decisions" and DRBs provide "recommendations", as this is the way it is, and won't likely change, because each works best for its respective market.

It was stated that the plan seems ambitious but not unattainable based on the current size and capacity of the organization. It was noted that the plan is not based on the past or current 2007 draft budget model. The infrastructure for new regions would not be established until it can be sustained.

Incoming Board member Volker Jurowich inquired about the plans for dealing with language differences. It was stated that it would vary based on the interests and needs of the local chapter. Gwyn Owen cited the FIDIC model where the local region translates as needed, and puts the FIDIC cover on the publication once approved.

It was stated that the international market for DBs is there and that the DRBF can provide knowledge and experience on how to do it right. Gwyn Owen noted that the Foundation is at a crossroads: do we want to be part of the advancement worldwide, or to stay on the sidelines? He urged the Board to let regional groups focus on regional issues and let the Executive Board stay focused on the broad issues.

When a motion was made to accept the proposal, Gwyn Owen reminded the Board that acceptance would change the makeup of the Board and set a new direction for the Foundation, so it should not be taken lightly. The DRBF would be formally recognizing that the world would be dealt with in chunks, not globally. The power would shift to regions and to an executive committee. It was further noted that the plan allows for 2+ years before the first major step is implemented and changes could occur during that time. The motion passed by majority vote.



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Multinational Training

The committee had distributed a proposal to all Board members. Gwyn Owen noted that there is huge demand, but it is restrictive for the organization to train effectively worldwide (only one person, travel costs, language barriers, etc.), but the Foundation can monitor content for DRBF approval. He noted that the course completion certificate would be for attendance only.

Regional Representative Coordinator

New committee chair John Madden reviewed his progress in evaluating the state of the regional rep program. He had previously requested two short term goals from each rep to achieve within two months, and would be getting those results at a meeting the following day. He shared plans for some meetings scheduled in NY with the chief engineers for the Port Authorities of NY and NJ, as well as progress with the NY Building Congress and the Hudson River Tunnel through contact with the governor of NJ. He also noted some progress he is making with the railway procurement group in Ireland (where he also does business).

Local Chapters

Jack Norton noted there is one chapter (Florida) and their main concern at this time is “what is national doing for them.” The Florida Chapter held a meeting in the same hotel in an adjoining meeting room, so several BOD members had an opportunity to meet with them.

Country Reps and International Committee

Gwyn Owen noted that several features in the *Forum* have coincided with regional events (like Australia) which have been beneficial. The Southeast Asian tour was just completed, and the DRBF contributed some money to help with travel costs. There is a lot planned for the coming year, and Gwyn noted the need for marketing materials to support some of those efforts. It was noted that the Executive Committee will address those needs.

DRBF Committees

President Pete Douglass distributed a revised list of committees and committee chairs. He noted the Executive Committee, in accordance with the newly approved 10 year plan, will identify two additional members to this committee and the Board will vote on these suggested new members by email.

Future Meeting Sites

Several locations in Southeast Asia have been considered for the International Conference. Singapore is a possibility, and offers both good local traffic as well as being easy to reach from Europe. The earliest it could be done in Malaysia is '08. Bangkok would be difficult. Marianne Ramey noted that the newly approved 10 year plan suggests establishing the first international chapter in Europe, so perhaps that would be a better region to focus on.



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Although there have been several (4-5) conferences in Europe, it was agreed that there is a lot of DB opportunity coming up there in the next few years. The BOD agreed to continue to discuss potential locations over the weekend and make an announcement by the close of the conference.

Note: Bucharest, Romania was selected as the location for the '07 International Conference.

Several locations on the west coast were suggested for the Annual Meeting and Conference, notably San Diego, Seattle and Las Vegas.

Manual

The complete Manual revisions and a summary of changes were distributed to the Board by email prior to the meeting. Kerry Lawrence requested that the new version not be implemented until Jan. 1 to allow an easier transition for the training workshops. A motion was passed to upload the revisions on Jan. 1, 2007. Board members were urged to review the documents and send any comments on the Manual revisions to the committee by the end of November 2006.

Newsletter and Website

Forum Editor Ann McGough asked for feedback on the newest regular feature, the ethics column. It is driving discussion and positive feedback and is thought to be a worthwhile and timely topic. Ann also noted that progress has been made on creating an online, interactive form to submit data for the DRB Database. She mentioned that the updated Manual revisions will also feature a "one click" print option, which had been requested previously as a desirable function.

Calendar '06-'07

The Executive Committee will meet monthly to focus on regular management of the DRBF, with the BOD meeting quarterly, twice by conference call and twice in face to face meetings. A draft of proposed Executive Committee and BOD meeting dates was distributed to the Board and was approved.

The open meeting concluded at 9:50 p.m., when the Board went into executive session.

The next meeting will be for the Executive Committee only, and is scheduled for Friday, November 10, 2006 by conference call.

Meeting Minutes submitted by Ann McGough.