

# Preface

The Dispute Resolution Board Foundation (DRBF) created this manual to provide an authoritative explanation of the dispute board process. It is a reference guide for users and participants in the application of the process throughout the world. Dispute boards in the United States and Canada are typically referred to as either Dispute Review Boards or Dispute Resolution Boards, terms that are used interchangeably and referred to in this document as DRBs. International dispute boards are frequently known as Dispute Adjudication Boards (DAB) or Dispute Boards (DB) and have somewhat different procedures.

This guide updates previous publications and explains various practices and procedures that have evolved with the use of DRBs. While this process can be customized to suit a particular project, distinctions are drawn between those modifications that are acceptable in special circumstances, and those that are not recommended. Recommendations are made on various procedures that are designed to facilitate the avoidance and resolution of construction disputes using the DRB process.

This document consists of four sections:

1. **Concept** introduces the DRB process and reviews the history of its development, explains the essential elements, discusses the benefits, and provides guidance to owners contemplating use of a DRB. It provides the foundation for deciding to use DRBs.
2. **User Guide** describes the recommended DRB procedures. It is intended to help owners and contractors employ the process effectively. Selection of neutral and impartial board members is emphasized. Topics include operation of the DRB, advisory opinions, referring disputes to the DRB, and the hearing process. The Code of Ethics for Board members is discussed at length. A new chapter to assist owners in the proper implementation of the process is added. This section contains guide specifications and a three-party agreement that can be downloaded in Word format.
3. **Member Guide** presents best practice guidelines for DRB operations including the first meeting and periodic meetings with the parties, conducting hearings, Board deliberations and recommendations, and resignation of members. The importance of being neutral and impartial is emphasized.
4. **Multinational Practice** outlines the growth of the use of multinational DRBs and DABs, sets out the provisions in use by the World Bank (and other development banks), the provisions recommended by the International Federation of Consulting Engineers (FIDIC), and those of the International Chamber of Commerce. Procedures unique to multinational practice are discussed. Internet links to international Dispute Board publications are provided.

Previous documents providing guidance on DRBs were published in 1989 and 1991 by the American Society of Civil Engineers and in 1996 when McGraw-Hill published the Construction Dispute Review Board Manual.

The first DRBF Practice and Procedures Manual was published section by section on the Internet during 2004 and 2005.

The DRBF updates the Manual frequently as the use of DRBs continues to develop. The most recently updated chapters are noted on the access page to the Manual on the DRBF web site.

Sections 1, 2 and 4 can be downloaded from the DRBF web site ([www.drb.org](http://www.drb.org)) in PDF format by anyone. Section 3 is available in PDF format to members of the DRBF. Hard copies of the complete Manual are available for purchase through the DRBF main office (phone 206-878-3338).