

CDOT/CCA SOLICITATION FOR DISPUTE RESOLUTION BOARD MEMBERS

1. Introduction

The Colorado Department of Transportation (CDOT) and the Colorado Contractors Association (CCA) formed a Task Force to develop a dispute and claim resolution process that provides the foundation for issues to be resolved at the lowest level. In addition, the Task Force developed a joint training program to teach CDOT and Contractor project personnel how to resolve disputes and avoid claims.

This effort resulted in a revised Disputes and Claims Specification that is divided into three specification sections:

- 105.22 - Dispute Resolution
- 105.23 - Dispute Review Board
- 105.24 - Claims for Unresolved Disputes

If a dispute is not resolved at the project level, it proceeds to the Resident Engineer level where upper management from the Contractor must be involved. Failure to resolve the dispute at the Resident Engineer level requires the dispute be presented to a Dispute Review Board (DRB).

There are two types of DRB's:

- Standing DRB - This type will be established in the Contract.
- On Demand DRB – This type will be established only when the Project Engineer initiates a DRB review per the specification.

Specification Section 105.23(b) requires that CDOT and CCA maintain a statewide list of DRB candidates experienced in construction processes and the interpretation of contract documents and the resolution of construction disputes. Further, DRB members shall be experienced in highway and transportation projects.

This package is intended to solicit participation and inclusion in the statewide list.

2. Participation in Statewide DRB Member List

Interested candidates are requested to review Specification Sections 105.22 and 105.23, the Three Party Agreement which is part of specification section 105.23, the Code of Ethics and Disclosure Requirements all of which are attached.

It is important that you understand the compensation provisions including both agreed upon time away from the project and travel time.

3. Submission Requirements

Interested candidates are required to complete the “Dispute Review Board (DRB) Candidate Solicitation” form in the following CDOT Website:

[Dispute Review Board \(DRB\) Candidate Solicitation Form](#)

Questions on the completion of the form or the DRB program should be addressed to CDOT Project Development Branch at 303-757-9595 or mark.straub@state.co.us or CCA at 303-290-6611 or jmoody@ccainfo.org.

After CDOT and CCA review a candidate's information, the candidate will be notified if they have been added to the Statewide List by e-mail.

4. DRB Agreement and Reimbursement

CDOT and the Contractor are required to contact DRB candidates prior to making their member selection to ascertain the candidate's availability and any disclosures that the candidate might have to make. Candidates must submit the attached disclosure statement to the party who contacted them. In the case of a three member Board, the CDOT and Contractor selected members will follow the same selection procedures.

After CDOT and the Contractor have agreed on the Dispute Review Board member(s), CDOT will prepare the Dispute Review Board Three Party Agreement and send it to the member(s) for execution prior to execution by the Contractor and CDOT.

Until the Three Party Agreement has been fully executed, member(s) are not permitted to submit invoices for fees. Reimbursement shall be made as stated in Specification Section 105.23 and the Three Party Agreement.