

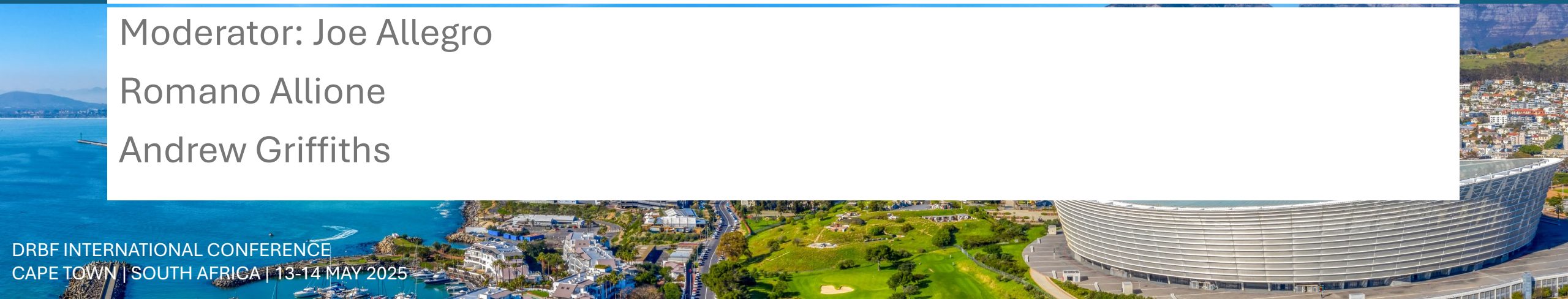


From Eisenhower Tunnel and Katse Dam - The Evolution of Dispute Boards

Moderator: Joe Allegro

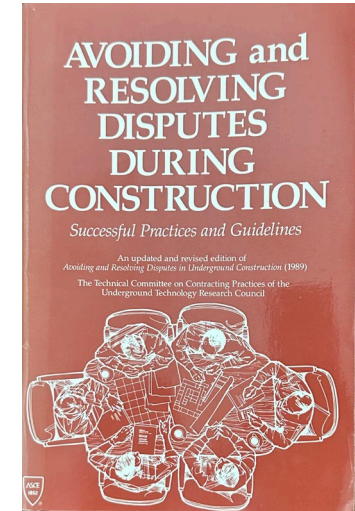
Romano Allione

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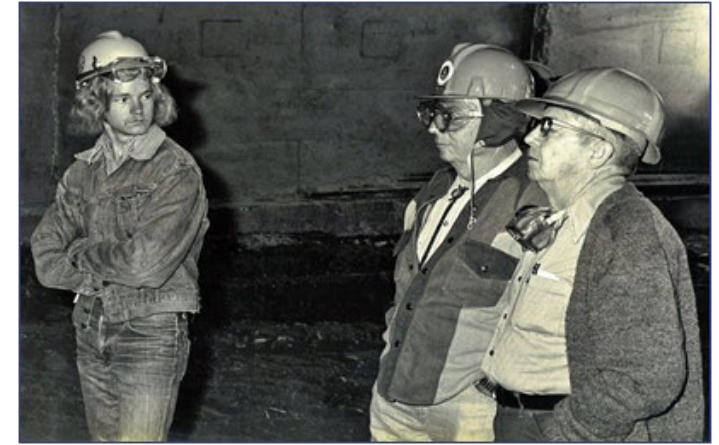


History of DRBs

- Early 1970s tunneling industry conducted studies on new approaches to dispute resolution
- First DRB used on second bore of I-70 Eisenhower Tunnel in Colorado (1975)



The First Dispute Board 1975



“The construction of the first bore of the Eisenhower Tunnel in Colorado was a financial disaster. Determined not to get burnt again, the Colorado Department of Highways, for the construction of the second bore, provided for a ‘Review Board’ to make recommendations which could not be settled at the job level.”

“The first bore of the Eisenhower Tunnel had resulted in enormous claims, on which the DOH had paid out some \$50,000,000. But with the second bore, the biggest problem the Board had was that we went along for over two years with no problems.”

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History of DRBs

- 1996: DRBF established; DRB Manual published
- 1981: First international DB, El Cajon Dam, Honduras
- 1992: FIDIC issues DAB Supplement to the 4th Ed. Red Book
- 1995: The World Bank makes DBs mandatory for all World Bank-financed projects in excess of US \$50M
- 1997: Asian Development Bank & European Bank for Reconstruction & Development adopt DB approach
- 1999: FIDIC rainbow suite introduces Standing and Ad Hoc Dispute Adjudication Boards
- 2004: ICC introduces DB rules (DRB/DAB/CDB)
- 2006: 9 Multilateral Development Banks adopt DBs

History of DRBs

2010: Dispute prevention and avoidance becomes a major focus for DBs

2014: Chartered Institute of Arbitrators introduces DB Rules

2015: ICC updates DB Rules

2017: FIDIC Second edition emphasises dispute avoidance role with
Dispute Avoidance and Adjudication Board (DAAB)

2017: NEC includes DBs as an option

2019: DRBF Manual Updated to worldwide practice

2025: 50th Anniversary of the Dispute Board process

2026: DRBF to celebrate 30th Anniversary and publish updated Manual