

Contract Administration Services (CAS) DRA03 – Technical Brief – Dispute Resolution Advisor Level 3 Qualifications and Experience

To be considered for the Contract Administration Services (CAS) prequalification levels, applicants must satisfy the mandatory qualification, prerequisite level and mandatory experience requirements.

Academic / Professional Qualifications – Mandatory

- A degree in Civil Engineering or an equivalent Civil Engineering qualification, which is accepted by Engineers Australia (Engineers only). Also known as Professional Engineer category as described by Engineers Australia, or
- A degree in Quantity Survey, Cost Engineering or an equivalent qualification, which is accepted by Australian Cost Engineering Society (ACES), or
- A degree in Law,
- An Engineering Technologist category as described by Engineers Australia, and
- Registration as a Registered Professional Engineer of Queensland (RPEQ) (Engineers only).

Prerequisite level

- Nil.

Academic / Professional qualifications – desirable

- Post-graduate qualification(s) in construction law and/or dispute resolution.
- Graded Arbitrator (<https://resolution.institute>).
- Member of Chartered Institute of Arbitrators (www.ciarb.net.au).
- Panellist of Australian Centre for International Commercial Arbitration (ACICA) Panel of Mediators or ACICA Panel of Arbitrators (www.aica.asn.au).
- Completion of the DRBF Region 3 Advanced Training Workshop (www.drb.org.au).

Roles and responsibilities

Role:

The Dispute Resolution Advisor (DRA) is responsible for assisting the parties to resolve contractual disputes in the delivery of road infrastructure projects and may include participation in Dispute Resolution Boards (DRB).

Responsibilities:

The DRA shall:

- Meet with the parties at the start of the project to establish procedures that will govern the conduct of its business and reporting procedures in conformance with the requirements of the contract. The procedures shall only be implemented upon approval by all parties.
- Proactively guide the parties to avoid dispute and facilitate the resolution of disputed contractual claims.



- Hold an establishment meeting with the parties to agree on the process and timeframes for resolving the disputed claims.
- Assist the parties to finalise a Deed to be signed by the DRA and the parties to the contract, setting out the agreed dispute resolution process.
- Arrange meetings with the parties from time to time as required to understand the issues and obtain details of the relevant facts.
- Assess the information provided against the relevant contract conditions and determine entitlement and quantum.
- Engage other specialists as required (including expert schedulers, legal and commercial advisors) to assist with the assessment of the claims.
- Prepare reports and any other documents that might be necessary to record details of its activities and any recommendations.

Experience – Mandatory

Minimum of 10 years' experience or experience in the resolution of at least five contractual disputes on road infrastructure projects including complex inter-related claims with time and cost components and exposure to a large variety of different types of contractual claims. Experience includes:

One or more of following

- Active participation in the dispute resolution process on projects, involvement in partnering at a management or leadership level, acted in role of relationship facilitator or actively participated in relationship management processes at a management or leadership level. or
- Work experience as a senior manager or executive in public works highway construction contracts with emphasis on resolution of disputes arising out of contracts and/or experience working in an executive or senior management role with a construction contracting organisation and
- all of following
- Substantial technical knowledge of contracts used in the delivery of road infrastructure projects including those based on AS 2124.
- Demonstrated sound consultation, conflict avoidance, and group facilitation skills.
- Demonstrated sound knowledge of construction techniques and practices relevant to the delivery of road infrastructure projects including a sound understanding of Department of Transport and Main Roads' policies, standards, and specifications.
- Substantial level of skill in working autonomously, setting goals and identifying outcomes, while being part of a team.
- Substantial level of skill in oral communication and in writing clear and concise technical reports.
- Substantial skills in relationship management and problem solving with multiple, diverse and often complex stakeholders.

- Substantial knowledge of the legal and regulatory environment applying to road infrastructure projects, and
- Established network of relevant industry contacts and access to specialist schedulers, legal and commercial advisors.

Experience – Desirable

- Dispute Resolution Advisor or member of a Dispute Resolution Board, or
- Superintendent or contract administrator on major road infrastructure projects.

Information Required

- CV with details of skills, experience and key achievements from your last three projects that pertain to **this** engagement, and
- A table detailing projects where you have actively been involved in resolving disputed claims including brief summary details of the claim, your role in resolving the claims, and the methodology used to resolve and the outcome.

