



Dispute Avoidance and Resolution Board (DARB)

A proactive approach to conflict avoidance and resolution for complex construction projects

What is a DARB?

A Dispute Avoidance and Resolution Board is a panel of neutral experts with construction industry expertise that is established at the beginning of a project. Board members familiarize themselves with the project by meeting regularly with the parties at the job site or virtually. Parties can bring potential conflicts to the DARB in real time for binding or non-binding recommendations.

American Arbitration Association-International Centre for Dispute Resolution® (AAA-ICDR®)

The American Arbitration Association-International Centre for Dispute Resolution is a leading provider of alternative dispute resolution services and offers specialized DARB procedures, rules and administrative support. It will help you select qualified panelists, prepare and provide notices of meetings, transmit meeting minutes and Board recommendations, and collect and disburse Board member fees and expenses.



Dispute Avoidance and Resolution Board (DARB)

Why use a DARB?

- **Prevents costly disputes:** Real-time dispute resolution helps avoid issues from escalating into major conflicts, saving time and money.
- **Preserves relationships:** The DARB process encourages collaboration and helps parties maintain positive working relationships.
- **Expertise:** DARB members are experienced construction professionals, bringing industry-specific knowledge to dispute resolution.
- **Impartiality:** DARBs provide neutral, unbiased recommendations.
- **Cost-effective:** The proactive approach of a DARB can ultimately save significant resources compared to litigation or other forms of dispute resolution.

How does the DARB process work?

1. **Establishment:** The project contract includes a clause establishing the DARB and referencing the AAA-ICDR DARB Rules and Procedures.
2. **Site visits:** The DARB visits the project site regularly, familiarizing themselves with the work and potential issues.
3. **Dispute submission:** If a conflict arises, either party can bring it to the DARB's attention.
4. **Informal hearing:** The DARB holds an informal hearing where both parties present their positions.
5. **Recommendation:** The DARB issues a binding or non-binding recommendation to resolve the conflict.

Key Points

- DARBs are a valuable tool for complex construction projects.
- Utilizing a DARB fosters a sense of partnership and open communication.
- If a DARB recommendation does not fully resolve the issue, parties may still use mediation, arbitration or other dispute resolution methods.



To learn more about the AAA's DARB services, visit:

<https://go.adr.org/aaa-construction.html>.