



CONSTRUCTION DISPUTE RESOLUTION SERVICES, LLC
Specializing in Mediation & Arbitration

PO Box 8029
Santa Fe, NM 87504

New Mexico: 505-473-7733
Fax Phone: 505-474-9061

Out of State: 888-930-0011
Email: cdrs@cdrsllc.com

Website: www.constructiondisputes-cdrs.com

DRB MEMBER FEES AND RELATED COSTS AGREEMENT

DISPUTE REVIEW BOARD MEMBER FEES

CDRS ADR Specialist _____ shall
serve on a dispute review board(DRB) for the _____ project
located in the city, town or village of _____
in the state of _____ in the country of _____
as a neutral member of the DRB. The fee for DRB member shall be \$ _____/hour
An additional fee of \$ _____/hour shall be added if the DRB member is selected
to serve as the DRB Chair.

DRB MEMBER RELATED COSTS AND EXPENSES

CHARGEABLE TIME - Chargeable time shall include, but is not limited to: review and preparation time, telephone calls, pre-session meetings, jobsite visits, all time spent during the DRB meeting and all time spent during or after the DRB meeting formulating and writing advisory opinions or while preparing for or performing any related ADR procedures. All time spent during a dispute resolution proceeding and in formulating and writing any written decisions of the DRB. Other time spent on behalf of the DRB that is necessary to carry out the business and responsibilities of the DRB.

OUT OF POCKET EXPENSES - Any applicable reimbursable expenses which include but are not limited to: long distance telephone charges, copying costs, special mailing costs, personal delivery fees, legal filing fees and other related expenses.

TRAVEL EXPENSES - Reimbursable travel expenses include airfare at coach rates and all taxis, shuttles or car rental expenses. If using a personal automobile, mileage will be reimbursed based upon current IRS rates from the DRB member's residence. Lodging costs incurred shall also be charged and are reimbursable. Meals shall be reimbursed at the rate of \$75 per day. If there is a large amount of travel time necessary on the day of or before and/or after the DRB meeting or dispute resolution session, there will be a \$600.00 fee per day charge on those travel days.

CANCELLATION OR POSTPONEMENT CHARGES - Any DRB meeting or dispute resolution session that is cancelled or postponed less than 72 hours prior to the scheduled session is subject to a \$300.00 administrative fee which is payable by the party(s) responsible for the cancellation or postponement. If the session is rescheduled or permanently cancelled, all time and expenses that have accumulated and all prepaid expenses such as airfare expenses are also fully chargeable and are reimbursable.

PARTIES RESPONSIBILITIES RELATED TO COSTS - Unless the construction contract or other written agreement specifies the allocation of the fees and expenses of the DRB or special meetings, all parties to the DRB Agreement shall share the cost of the DRB and/or dispute resolution process equally.

PAYMENT TERMS AND CONDITIONS - All fees and related costs shall be billed to the appropriate party(s) by Construction Dispute Resolution Services, LLC (CDRS) and shall be paid to CDRS within 30 days of the date of the invoice. If an invoice has not been paid according to these terms, CDRS shall have the right to instruct its DRB member professional(s) to cease any and all involvement with the DRB until the outstanding amounts have been paid.

(NOTE: APPLICABLE GROSS RECEIPTS TAXES OR OTHER APPLICABLE STATE TAXES SHALL BE ADDED TO ALL CHARGES)

SIGNATORIES

By signing below, the signatories acknowledge that they have the authority to obligate the organization(s) that they represent to the terms and conditions of this addendum.

For the owner _____ Date _____

For the Prime Contractor _____ Date _____

Additional Party _____ Date _____

Additional Party _____ Date _____

CDRS DRB Member _____ Date _____

CDRS DRB Administrator _____ Date _____