



Project & Contract Management

Arbitration In Construction Contracts

Course Introduction

This program is designed to equip participants with the necessary knowledge and skills to navigate the complexities of construction contracts and effectively manage disputes through arbitration.

Target Audience

- Project Manager
- Business Administrator
- Marketing Coordinator
- Account Executive
- Chief Operating Officer
- Operations Manager
- Executive Administrative
- Risk Manager
- Program Manager
- Business Analyst
- Quality Control Coordinator
- Assistant Manager
- Team Leader
- Senior Supervisors
- Researcher
- Entrepreneur
- Management Consultant
- Public Relations Director

Learning Objectives

- Understand the fundamentals of construction contracts, including their necessity, formation, and common issues encountered in the construction industry.
- Recognize the various methods of dispute avoidance and resolution, with a focus on negotiation techniques and traditional third-party approaches such as litigation, arbitration, and adjudication.
- Explore alternative dispute resolution mechanisms, including mediation, conciliation, and expert determination, to facilitate efficient resolution.
- Gain insights into the historical context and legal frameworks surrounding arbitration, including the Federal Arbitration Act and state arbitration codes.
- Compare arbitration to litigation in terms of costs, risks, and procedural aspects, evaluating the advantages and disadvantages of each.
- Delve into the intricacies of arbitration proceedings, including the selection of arbitrators, navigating arbitration systems and rules, and addressing concerns of project participants.
- Understand the obligation to arbitrate, incorporating third parties into proceedings, handling discovery issues, and utilizing subject matter experts to address construction-specific challenges.
- Learn key factors to consider when selecting arbitration panel members for construction disputes, including venue, presenting a strong case, and navigating common construction issues.

Course Outline

- **Day 01**

The Fundamentals of Construction Contracts

- Why Contracts are Necessary
- How Contracts are Formed
- Particular issues with Construction Contracts

Use of Standard Forms

- FIDIC
- NEC
- LOGIC

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Differences in bargaining positions

- Problems with competitive tendering
- Problems with different industries
- And different regions/countries
- Issues with different Legal Systems
- Some major problem clauses in Construction Contracts
- Traditional Approaches to Construction Contracts

• Day 02

Disputes – Avoidance and Resolution

- How disputes arise
- Methods to avoid disputes, or deal with them quickly as they arise
- Negotiation techniques

Traditional third party approaches

- Courts (litigation)
- Arbitration
- Adjudication

Some Alternative Approaches

- Mediation
- Conciliation
- Early Neutral Evaluation
- Expert determination
- Dispute Review Boards and similar arrangements
- Pendulum arbitration

• Day 03

Fundamentals of Arbitration

- The Historical Context of Arbitration
- Understanding the Federal Arbitration Act and State Arbitration Codes
- Common Contractual Clauses and Triggers for Arbitration

- Determining the Arbitration Panel: One or Three Arbitrators
- Navigating the Various Arbitration Systems and Rules
- Comparing Arbitration to Litigation: Costs, Risks, and Appeals

• Day 04

Debating the Cost of Litigation versus Arbitration

- Speedy Resolution in Arbitration versus Lengthy Trials in Litigation
- Exploring Substantive Law, Rules of Evidence, and the Arbitration Hearing Process
- Assessing the Need for Discovery in Arbitration Proceedings
- Examining Appellate Rights in Arbitration Cases
- Addressing Concerns of Subcontractors, Design Professionals, and Other Project Participants

• Day 05

Understanding the Obligation to Arbitrate

- Incorporating Third Parties into Arbitration Proceedings
- Handling Subpoenas and Other Discovery Issues in Construction Arbitration
- Utilizing Subject Matter Experts and Addressing Construction-Specific Challenges

Factors to Consider When Selecting Arbitration Panel Members for Construction Disputes

- Choosing the Right Venue and Forum for Large Construction Arbitrations
- Presenting a Strong Construction Case in Arbitration Proceedings

- Navigating Fees, Construction Liens, and Other Common Construction Issues in Arbitration

Confirmed Sessions

FROM	TO	DURATION	FEES	LOCATION
May 5, 2025	May 9, 2025	5 days	4950.00 \$	Singapore - Singapore
Sept. 28, 2025	Oct. 2, 2025	5 days	4250.00 \$	KSA - Al Khobar
Dec. 29, 2025	Jan. 2, 2026	5 days	4250.00 \$	UAE - Dubai