

Model dispute resolution board clause

“The parties agree that disputes arising in connection with or as a result of the performance of the work under this Contract shall be submitted, in the first instance, to the Dispute Resolution Board (DRB) in accordance with the Dispute Resolution Board Rules under the Government Procurement Law of the National and International Arbitration Center of the Lima Chamber of Commerce (the Rules).

“The DRB shall be composed of [one/three] member(s) appointed from the Center’s list of adjudicators.

The organization and administration of the DRB shall be carried out by the National and International Arbitration Center of the Lima Chamber of Commerce, and in accordance with the provisions of its Rules, which the parties declare to know and accept in their entirety.

The decision of the DRB is of immediate and obligatory compliance by the parties.”

If one of the parties fails to comply with a decision of the DRB, such failure shall entitle the affected party to resort to the relevant contractual remedies or to arbitration, in accordance with the Rules. Similarly, in the event either party does not agree with the decision issued by the DRB, it may submit the dispute to arbitration in accordance with the Rules.

The arbitration initiated shall be in accordance with the Arbitration Rules of the National and International Arbitration Center of the Lima Chamber of Commerce.”