

OATH is accepting applications for CDRB panelists.

The New York City Office of Administrative Trials and Hearings (OATH) is accepting applications from qualified persons who would like to serve on Contract Dispute Resolution Board (CDRB) panels.

CDRB panels hear the final appeal in a three-step dispute resolution process contained in City contracts for construction, goods and services. Each CDRB panel consists of an OATH Administrative Law Judge (ALJ), as chair, a representative of the Mayor's Office of Contract Services, and a third member selected from a pre-qualified roster of individuals, established and administered by OATH, who has appropriate expertise and is unaffiliated and not employed with the City.

Pursuant to Procurement Policy Board (PPB) rule 4-09(f)(3), the non-City neutral member of the CDRB may not have a contract or dispute with the City, be an officer or employee of any company or organization which has such a dispute or regularly represent persons, companies or organizations having disputes with the City. In addition, upon designation to participate as a CDRB member in a particular dispute, the non-City neutral member must fully disclose any prior or current relationship with any party to the dispute or any financial interests or conflicts of interests which may be relevant to the dispute or any party to the dispute.

CDRB panelists are paid a basic rate of \$750 for the preliminary review of papers filed, participation in a pre-argument panelist meeting, attendance at the oral argument, participation in deliberations immediately following oral argument and review of the draft decision. Extra work beyond the work covered by the basic rate must be approved in advance by the presiding administrative law judge. Extra work is compensated at the rate of \$150 per hour, subject to the review of the reasonableness of the time charged. Panelists must keep time records for all extra work.

Those interested in being added to the roster of pre-qualified individuals are encouraged to apply. Applicants should have a background and experience in government contracting, construction, engineering or related law. Completed applications should be sent via e-mail to the OATH Trials Division Law Clerks, LawClerks@oath.nyc.gov.



**THE CITY OF NEW YORK
OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS**

CONTRACT DISPUTE RESOLUTION BOARD

APPLICATION AND STATEMENT OF QUALIFICATIONS

Section 4-09 of the rules of the NYC Procurement Policy Board (“PPB”) provides for a Contract Dispute Resolution Board (“CDRB”) to resolve disputes arising out of contracts between the City and its vendors for goods, services, and construction. The text of section 4-09 is set forth in title 9 of the Rules of the City of New York (“RCNY”). Each Board will be composed of an administrative law judge from the Office of Administrative Trials and Hearings (“OATH”), the City Chief Procurement Officer or their designee (usually from the Mayor’s Office of Contract Services), and a third member with appropriate background who will be selected from a pre-qualified panel.

Because the CDRB will often be involved in the resolution of complex matters, it is important that the third panelist be highly qualified and free of any actual or potential conflicts of interests. Accordingly, this questionnaire is intended to elicit information regarding the applicant’s education and professional experience as well as potential conflicts of interest.

Pursuant to PPB rule 4-09(f)(3) the third panelist of the Contract Dispute Resolution Board must not be an employee of the City and may not have a contract or dispute with the City, be an officer or employee of any company or organization which has such a dispute, or regularly represent persons, companies or organizations having disputes with the City. In addition, upon designation to participate as a CDRB member in a particular dispute, the third panelist must fully disclose any prior or current relationship with any party to the dispute or any financial interests or conflicts of interests which may be relevant to the dispute or any party to the dispute.

INSTRUCTIONS FOR APPLICANTS

You must provide the information requested with respect to yourself and, where requested, any firm or organization with which you are associated. Applicants are expected to complete the Application/Background Questionnaire candidly and completely. A material false statement or willful omission will result in disqualification from service on the CDRB. Those applicants who are selected for the pre-qualified panel will be asked to make additional disclosures that are dispute specific before assignment to a particular CDRB case.

If additional space is needed to answer any questions, use blank paper of the same size and attach the addendum to the back of the questionnaire. Add your name to each attached sheet.

All questions must be completed. Enter "N/A" if a particular item does not pertain to your situation. A copy of your resume must also accompany the application. Thank you.



THE CITY OF NEW YORK
 OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
 CONTRACT DISPUTE RESOLUTION BOARD

STATEMENT OF QUALIFICATIONS

Name: _____

Address: _____

Phone: _____ E-mail: _____

Current Occupation: _____

1. LICENSES

- A. *List any professional certifications or licenses you currently hold (e.g., licensed engineer, architect, attorney).*

LICENSE/YEAR ISSUED	LICENSING AUTHORITY

2. EMPLOYMENT AND PROFESSIONAL EXPERIENCE

- A. *List the employment you have held for at least the past ten years, beginning with your most recent position and continuing in reverse chronological order.*

EMPLOYER	POSITION	DATES

B. *List any professional societies or associations to which you belong.*

C. *Check and generally describe any of the following areas in which you have relevant experience.*

Business experience, e.g., owner, manager, officer of a for-profit or not-for-profit enterprise

Describe _____

Legal experience, including contract interpretation

Describe _____

Construction or other technical experience

Describe _____

Public sector managerial or administrative experience

Describe _____

_____ Alternate Dispute Resolution experience, e.g., arbitration or mediation

Describe _____

- D. *If necessary, elaborate on the relevant experience checked above in a short statement (separate sheet) outlining your decision-making qualifications. You may include any additional information you believe would be useful.*
- E. *You may submit any supplemental information that you believe would be helpful in evaluating your qualifications and decision making ability, including, but not limited to the following:*
 - 1. List of representative publications you have authored;
 - 2. Awards and honors (educational or professional);
 - 3. Letters of recommendation.

3. REFERENCES

Provide the names of three references who are familiar with your ability to act as a neutral board member.

NAME	POSITION	PHONE

4. EDUCATION

DEGREE/YEAR GRANTED	INSTITUTION/GRANTOR	SUBJECT AREAS

Other relevant educational history.

5. BUSINESS AND OTHER ASSOCIATIONS

A. *List all businesses, firms, companies, unions, agencies, public benefit corporations or other organizations including not-for-profit and charitable entities with which you have been associated within the prior three years as a director, officer, partner, principal, employee, lobbyist or consultant.*

ENTITY	TITLE OR POSITION	DATES OF AFFILIATION

B. *Explain any involvement with the government of the City of New York or any of its agencies during the past three years. Indicate the nature and extent of the involvement, including, contracts, leases, franchises and other agreements with the City in which you or a firm or other organization with which you are associated has an interest.*

C. *To the best of your knowledge, are you or any person, organization, or business you represent or are associated with currently involved in any contract disputes with the City of New York? If so, please explain.*

D. *Indicate whether any professional or business license issued by an agency of state or city government to you or an organization in which you were a principal has ever been suspended or revoked. If so, provide a detailed explanation.*

E. *Indicate whether you or an organization in which you were a principal has ever been debarred by any city, state or federal agency or been determined a non-responsible bidder on the basis of business integrity in the past five years.*

F. *Indicate whether you have ever been found in violation of any state ethics provisions, or the New York City Conflicts of Interest Law.*

6. CERTIFICATION

I hereby certify that I have read and understood all of the items contained in this questionnaire, that I have supplied full and complete information in response to each item, and that such information is true and correct to the best of my knowledge.

I understand that the information provided will be reviewed and relied upon by the Office of Administrative Trials and Hearings, and agencies of the City of New York, and is subject to verification. I further understand that I will be required to make dispute-specific disclosures at a later time before assignment to a particular CDRB case. I also understand that being on the list of panelists for Contract Dispute Resolution Board neutrals does not guarantee that I will be selected to serve on any particular dispute.

Signature of Applicant

Date: _____

Return Application and Materials by e-mail to: LawClerks@oath.nyc.gov