

Alternative Dispute Resolution to Prevent or Resolve Federal Procurement Issues

Presented by:

Johanne Vernet, Manager

Business Dispute Management Program

Public Services and Procurement Canada (PSPC)



Public Services and
Procurement Canada

Services publics et
Approvisionnement Canada

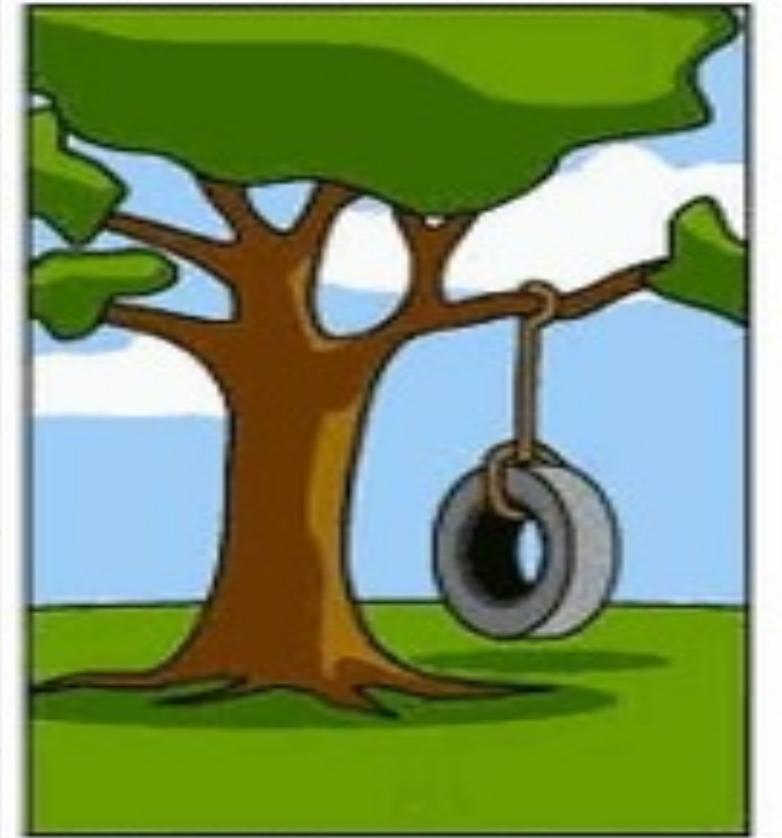
Canada

Presentation overview

1. Commercial dispute issues
2. Alternative dispute resolution in commercial disputes
3. Differences between alternative dispute resolution and litigation
4. How to choose the best dispute resolution process
5. Tips to help decide how to proceed
6. What I do as a practitioner to help resolve conflict
7. Business Dispute Management Program

1. Commercial dispute issues

Communication in a contract award



What the client needs

Commercial dispute issues

Communication in a contract award



How the client explained it

How the project leader
understood it

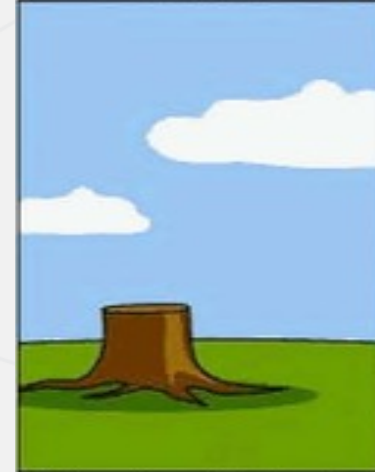


Commercial dispute Issues

Communication in a contract award



How the engineer designed it



How the project was documented

Commercial dispute issues

Communication in a contract award



What operations installed

How it was described to end users



2. Alternative dispute resolution in commercial disputes



3. Differences between alternative dispute resolution and litigation



4. How to choose the best dispute resolution process



Dispute resolution spectrum

Consultation & advice



Conflict Coaching & training



Facilitated discussion



Mediation



Arbitration



Mediation



Mediation
has several advantages
in resolving conflicts in
the procurement world.

Types of mediation: Distributive- Evaluative – Integrative – Transformational

5. Tips to help decide how to proceed



When reviewing your options, it is important to consider the following:

- ❖ The degree of control you have
- ❖ Who is the decision-making authority for the dispute
- ❖ The degree of decision-making authority you would like the third party to have
- ❖ The power dynamics at play within the dispute
- ❖ The structural features of the dispute (such as time-constraints or resource allocation)
- ❖ The intended goal in striving to resolve the dispute

6. What I do as a practitioner to help resolve conflict



7. Business Dispute Management Program



How we can assist

Business Dispute Management Program



Questions



Business Dispute Management
BDM.GCC@tpsgc-pwgsc.gc.ca

Conflict is normal...be prepared!
Think of **alternative dispute resolution (ADR)** to prevent
or resolve federal procurement issues



Contact the **Business Dispute Management** if you
need help to manage your conflict.

Training – Coaching – Facilitated discussion –
Mediation – Arbitration

BDM.GCC@tpsgc-pwgsc.gc.ca

Tel. : 1-833-831-3438

ATS : 1-800-926-9105

Thank you for your participation!

Merci pour votre participation!

