

ODRA PROCEDURAL TIMELINE FOR CONTRACT DISPUTES

ACTION	DUE DATE	RULE
Filing of Contract Dispute (other than Government warranty claims or claims for gross mistakes amounting to latent defects)	(1) Within two (2) years after dispute accrues; <i>or</i> (2) before contractor's acceptable of final contract payment, <i>if earlier</i>	14 C.F.R. § 17.27(c).
Filing of Government warranty claims	Within the time limitation set forth in the contract's warranty provision	14 C.F.R. § 17.27(c).
Filing of Government claims for gross mistakes amounting to fraud or latent defects	Within two (2) years of the date on which the FAA knew or should have known of the presence of the fraud or latent defect	14 C.F.R. § 17.27(c).
"Informal communications" period	During the first twenty (20) business days after the contract dispute is filed, the parties may conduct direct settlement negotiations, explore ADR options with a potential ADR neutral, agree on an ADR method, <i>or</i> decide to utilize adjudication process.	14 C.F.R. § 17.29(a).
Notification of agreement to use an ADR process to attempt to resolve the contract dispute	By the end of the twenty (20) business day "informal communications" period, the parties file with the ODRA either (1) a joint statement indicating the desire to use ADR and an executed ADR agreement; <i>or</i> (2) joint or separate statement(s) explaining why ADR will not be used.	14 C.F.R. § 17.29(d).
Duration of the ADR process	Within time frames agreed upon by the parties, <i>or</i> at the discretion of the DRO/ Administrative Judge	See 14 C.F.R. § 17.21(g) and 14 C.F.R. § 17.37.
Commencement of the Adjudication	Begins when the ODRA receives written notification by any party, or the neutral, that (1) ADR will not be used, <i>or</i> (2) ADR is not likely to resolve all the issues in controversy. At this time the ODRA Director appoints a Dispute Resolution Officer ("DRO")/ Administrative Judge to schedule further proceedings.	14 C.F.R. § 17.33(a) and 14 C.F.R. § 17.33(f)-(g).
Dispute File Submission	Filed by the opposing party within twenty (20) business days of the commencement of the adjudication, or as scheduled by the DRO/Administrative Judge.	14 C.F.R. § 17.33(b)-(c).
Supplementation of the Dispute File by the party that filed the dispute.	As scheduled by the DRO/ Administrative Judge	14 C.F.R. § 17.33(b)-(c).
Discovery, evidentiary submissions/briefings and hearings	Scheduled at the discretion of the DRO/ Administrative Judge	14 C.F.R. § 17.33(d), (i) and (k).