

APPROVED ADOPTED AMENDMENTS TO PWCA REGULATIONS
Title 1, California Code of Regulations, sections 1395 and 1398
Effective June 1, 2004

**Article 11. Certification of Arbitrators by the
Public Works Contract Arbitration Committee**

1395. Standards and Qualifications

- (a) Arbitrators shall have substantial experience in or directly related to public works construction projects, particularly large-scale complex projects with or on behalf of federal, state or local governmental agencies. Extensive experience in the resolution of disputes arising out of such projects is desirable. Knowledge of California construction law is necessary.
- (b) The experience in subdivision (a) may be met by a combination of factors, which shall include any one or more of the following:
 - (1) Five or more years' experience at the managerial or supervisory level in public works construction contracting with extensive experience in the resolution of disputes arising out of public contract claims.
 - (2) Five or more years' experience as an attorney representing parties in negotiating, litigating, or arbitrating public works construction contract claims.
 - (3) Five or more years' experience as a judge or arbitrator. This shall include extensive experience in adjudicating or otherwise resolving public works construction contract claims or other large-scale and/or complex commercial litigation.
- (c) Applicant qualifications are evaluated on an individual basis by the Public Works Contract Arbitration Committee. The Committee has discretion to waive the qualifications of (a) and/or (b) on an individual's demonstration of equivalent qualifications.

Authority cited: Section 10245.3, Public Contract Code.
Reference: Section 10245.3, Public Contract Code.

1398. Recertification of Arbitrators

Arbitrators certified to the panel shall be required to apply for recertification every seven years to remain on the panel. Arbitrators shall be evaluated for recertification on the basis of the current standards and qualifications.

Authority cited: Section 10245.3, Public Contract Code.
Reference: Section 10245.3, Public Contract Code.