

### Business Rules - Dispute Resolution

In the very first instance, clients should discuss any issues regarding a FAMIS job with the Facilities Manager (FM) to avoid going through the dispute process as the issue can be rectified post haste. Simple communication can resolve many of these Disputes. Disputing jobs can simply be avoided by making contact with the FM to discuss.

#### 8.1 Purpose

The purpose of this procedure is to instruct Agency Representatives at each of the Designated Locations in the management and resolution of disputes arising as a result of the FM service providers' claims and inadequate standard of works being carried out at a Designated Location.

#### 8.2 Disputes

##### 8.21 Dispute Initiated by Agency

On completion of a job the FM Service Provider will submit a claim in FAMIS. In accepting the claim and approving it for payment the Agency Representative certifies that the work has been satisfactorily completed. If the work has not been completed satisfactorily or the cost of the work is not reasonable the Agency Representative can dispute the claim (a Tier 1 dispute). Notice of the dispute or difference must be provided in writing to the other party and entitled "Dispute Notice".

##### 8.22 Resolution of Tier 1 Dispute Level

All disputes at the Tier 1 level must be negotiated and resolved if possible within a period of 14 days from the time the dispute arose or was first registered by the Agency Representative or FM Service Provider. Tier 1 resolution shall take place at the designated location level between the most senior Agency Representative, the appropriate FM Service Provider Representative and the Manager AGFMA (or delegate). The Agency Representative shall develop a file and keep a written record, including details of why a particular matter is the subject of the dispute, and record all discussions, telephone conversations and correspondence relating to the attempted resolution of the problem. The Agency Representative may call upon the Manager AGFMA (or delegate) to offer assistance on technical matters and/or Contract/Framework advice and provide assistance to negotiate costs.

##### 8.23 Referral of Tier 2 Dispute Level

If the dispute has not been satisfactorily resolved between both parties within 14 days, either party can escalate the dispute to Tier 2 for resolution. The Agency Representative shall forward all records and details to the Tier 2 Representative of the Contract Administrator to pursue resolution of the dispute. The Tier 2 Representatives must meet and undertake genuine negotiations to resolve the dispute or differences. If during the 28 day Tier 2 dispute resolution period, it becomes further evident that no progress can be made in further negotiations between the parties, the dispute can be referred to Tier 3.