

~~THIS--ARTICLE--IS--SUBJECT--TO--JUDICIAL--REVIEW--DE--NOVO--A--COUNTY GOVERNED--BY--COUNTY--COMMISSIONERS--AND--ORGANIZED--ACCORDING--TO--THE PROVISIONS--OF--THIS--ARTICLE--MAY--NOT--BY--CONTRACTUAL--PROVISION--OR OTHERWISE--ATTEMPT--TO--DEPRIVE--ANY--PARTY--OF--THIS--RIGHT--OF--JUDICIAL REVIEW-~~

(E) EXCEPT AS PROVIDED IN SUBSECTIONS (F) AND (G) OF THIS SECTION, A COUNTY GOVERNED BY COUNTY COMMISSIONERS MAY NOT REQUIRE IN A CONSTRUCTION CONTRACT, OR OTHERWISE PROVIDE WITH REGARD TO A CONSTRUCTION CONTRACT, TO WHICH IT IS A PARTY, THAT A DISPUTE BETWEEN THE PARTIES INVOLVING \$10,000 OR MORE REGARDING THE TERMS OF THE CONTRACT OR PERFORMANCE UNDER THE CONTRACT, BE SUBJECT TO FINAL BINDING OR CONCLUSIVE DETERMINATION BY AN OFFICER OR OFFICIAL BODY OF A COUNTY GOVERNED BY COUNTY COMMISSIONERS.

(F) A COUNTY GOVERNED BY COUNTY COMMISSIONERS MAY REQUIRE OR PROVIDE, WITH REGARD TO A CONSTRUCTION CONTRACT TO WHICH IT IS A PARTY, THAT IF THERE IS A DISPUTE REGARDING THE TERMS OF THE CONTRACT OR PERFORMANCE UNDER THE CONTRACT, THE QUESTION OR QUESTIONS INVOLVED IN THE DISPUTE SHALL BE SUBJECT TO A DETERMINATION WHICH IS FINAL AND CONCLUSIVE ON ALL PARTIES, MADE EITHER BY:

(1) A NEUTRAL PERSON OR ENTITY SELECTED BY OR IN ACCORDANCE WITH A PROCEDURE ESTABLISHED BY THE HIGHEST EXECUTIVE AUTHORITY OF A COUNTY GOVERNED BY COUNTY COMMISSIONERS, OR

(2) IN THE EVENT THAT THE OTHER PARTY DOES NOT ACCEPT AS NEUTRAL A PERSON OR ENTITY SELECTED UNDER PARAGRAPH (1) OF THIS SUBSECTION, BY AN ARBITRATION PANEL COMPOSED OF THE FOLLOWING:

(I) ONE MEMBER DESIGNATED BY THE HIGHEST EXECUTIVE AUTHORITY OF A COUNTY GOVERNED BY COUNTY COMMISSIONERS;

(II) ONE MEMBER DESIGNATED BY THE OTHER PARTY TO THE DISPUTE; AND

(III) ONE MEMBER TO BE SELECTED BY MUTUAL AGREEMENT OF THE TWO DESIGNATED MEMBERS FROM LISTS TO BE SUBMITTED BY THE PARTIES TO THE DISPUTE.

(G) NOTWITHSTANDING THE PROVISIONS OF SUBSECTIONS (E) AND (F) OF THIS SECTION, A COUNTY GOVERNED BY COUNTY COMMISSIONERS MAY PROVIDE OR REQUIRE, WITH REGARD TO A CONSTRUCTION CONTRACT VALUED--AT--\$10,000--OR--MORE TO WHICH IT IS A PARTY, THAT A DISPUTE BETWEEN THE PARTIES INVOLVING \$10,000 OR MORE REGARDING THE TERMS OF THE CONTRACT OR PERFORMANCE UNDER THE CONTRACT, BE SUBJECT TO A DETERMINATION OF QUESTIONS OF FACT BY AN OFFICER OR OFFICIAL BODY OF A COUNTY GOVERNED BY COUNTY COMMISSIONERS, PROVIDED THAT THE DECISION OF THE OFFICER OR OFFICIAL BODY OF A COUNTY GOVERNED BY COUNTY COMMISSIONERS IS SUBJECT TO REVIEW DE-NOVO ON THE RECORD BY A COURT OF COMPETENT JURISDICTION.