

Construction Claims

INTRODUCTION

- This course provides an in-depth overview of the tools you need to prepare, respond to and manage construction claims. Attendees will learn how to correctly identify situations that give rise to a claim, how to calculate the value of a claim and how, by way of a step-by-step process, to compile a claim submission into a persuasive argument which will help the claim to succeed. The course also deals.

ORGANISATIONAL IMPACT

Organization will benefit as a result of:

- Maximise company profitability
- Create a claim strategy
- Ensure the project team identifies and manages claims efficiently
- Ensure that contract administration systems help to identify, support and substantiate claims
- Maintain client goodwill
- Avoid costly and time-consuming disputes

PERSONAL IMPACT

At the end of this training course, the participants will benefit as a result of having learned the following:

- Create a claim response or defense strategy
- Identify, control, and respond to claims properly and efficiently
- Evaluate and verify entitlement to additional time
- Ensure that contract administration systems help to avoid, identify and controls claims and that records are available for claim defence

Course Outline

Module 1 - Contract Administration

- This module deals with the creation of good contract administration practices designed to prevent and to effectively manage claims. Topics include contract documents, programmes and planning, project records and records for claims. The creation of a claim strategy is also dealt with in this module.
- The module assignment requires the attendees to jointly discuss projects that they have worked on and discuss their strengths and weaknesses with regard to the management of claims and, in the case of weaknesses, to suggest how the systems could be improved.

Module 2 - Types of Claim

- The various types of claims including those for variations, extensions of time, prolongation, acceleration disruption and damages are discussed in this module. The importance of notices and claim procedures are also dealt with here.
- Attendees are presented with a case study and are jointly required to identify the potential claim events contained therein, ascertain the types of claims and how they would be evaluated.

Module 3 - Types of Claim

- An extension of time claim will fail unless it demonstrates that the delay had an effect on the completion date. This module provides an overview of delay analysis principles including concurrent delay, float and the critical path and how to link cause and effect. Various delay analysis methods are discussed and practical examples provided.
- The module assignment requires the attendees to jointly perform a simple impacted as planned delay analysis which takes into account the principles discussed.

Module 4 - The Essential Elements to a Successful Claim or Response

- In order for a claim to succeed, it must include several essential elements. This module deals with what should be included in a claim and effective ways of dealing with these requirements.
- Attendees are presented with a case study which includes several possible claim events and are jointly required to identify the cause, the effect, the type of claim and the clauses providing entitlement.

Module 5 - Compilation and Presentation of Claims and Responses

- Having a just case does not always ensure a successful outcome and many claims have failed through poor presentation. The effective presentation of a claim will also assist those responsible for reviewing the claim and this module discusses ways and means of ensuring the claim is compiled and presented to best effect.
- This module's assignment requires the attendees to jointly set out the various sections of a claim document for an extension of time and prolongation cost claim and to explain briefly what they would include in each section and why.

Module 6 - Responses, Determinations and Disputes

- Every claim requires a response or determination of some sort. This module deals with effective ways of presenting responses so as to close out issues in a timely manner and prevent disputes. Dispute procedures and practices are also discussed here.
- There is no assignment for Module 6, instead time is reserved for questions and general discussion.