

The Perfect Claim

INTRODUCTION

- This course is based on a single case study in which a delay due to unforeseeable ground conditions has occurred on a project. You will be provided with practical, hands-on advice on how to:
- Create contract administration systems so that the records are available to establish the cause of the claim and to provide substantiation of the facts
- Prepare the contractual notices in order to protect your entitlement
- Carry out a delay analysis to establish the effect of the delay on the time for completion
- Calculate the quantum for standing time and prolongation costs and show the calculations in such a way that the calculations may be included in the claim
- Prepare the preliminaries to the claim to provide the reader with the background to the matters
- Prepare a claim narrative which establishes cause, effect, entitlement and is backed up by substantiation
- Compile the claim to provide the reader with all the information required to [provide a full understanding of the matters so that an award may be made in a timely manner
- Group assignments throughout the course will be based on a separate case study and will see you putting the principles learned on each module into practice.

ORGANISATIONAL IMPACT

Organization will benefit as a result of:

- Maximise company profitability
- Ensure the project team identifies and manages claims efficiently
- Identify and prepare claims properly and efficiently
- Identify and demonstrate entitlement to additional time
- 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:

- Control project time and cost
- 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 - The Case Study, Potential Claims and Notices

- This module introduces a case study comprising a residential and commercial project where the Contractor encountered unforeseeable ground conditions. This caused the Contractor to incur standing time. It also caused delay to the groundworks.
- Understand how the Contractor has been affected by this event and the link between cause and effect
- Learn how to identify the potential claims
- Investigate the Contract to verify that the Contractor has an entitlement to make a claim.
- Examine the contractual requirements for notices
- Understand why contracts place such high importance on the submission of notices

Module 2 - Preparing the Claim and Delay Analyses

- Understand the importance of good records
- Review the types of records necessary for claims
- Appreciate how good record management makes claim preparation more efficient
- Learn how to create a timeline to assist with compiling a claim
- Understand good practice when preparing a baseline programme
- Learn the correct principles when preparing delay analyses
- Examine different types of delay analysis
- Learn the procedure for a Time Impact delay analysis
- Learn how to examine the results of the delay analysis
- Correctly calculate an extension of time
- Understand how concurrent delay may affect the Contractor's entitlement

Module 3 - The Case Study, Potential Claims and Notices

- Understand and identify what Costs may be claimed
- Learn the correct principles of cost recovery
- Appreciate how to prepare and present the Cost calculations

Module 4 - Compilation of and Preliminaries to the Claim

- Learn the Four Key Points for an effective claim and how to comply with them
- Understand how to format and prepare a claim submission to a good professional standard
- Understand how the “front matter” of the claim helps to bring clarity to a reviewer. Learn how it establishes the background to the matters before the details of the claim are presented

Module 5 - Cause and Effect

- Understand what the object of a claim is
- Learn and understand the essential elements of a successful claim
- Appreciate the types of event that provide entitlement to make a claim
- Understand how to prepare a narrative to clearly explain the cause of the claim
- Understand the importance of linking cause with effect
- Examine the possible effects of an event
- Learn how to correctly summarise a narrative
- Discover how to identify the information necessary to perform a delay analysis
- Understand the importance of justifying the delay analysis and explain how it has been performed

Module 6 - Additional Payment

- Learn how to explain the principles of cost recovery in a claim narrative
- Understand how simply presented and well-explained calculations will enhance your claim
- Ensure ease of understanding in your claims

Module 7 - Entitlement

- Identify where to find the entitlement to make a claim
- Appreciate how to clearly demonstrate the contractual entitlement in a claim narrative
- Learn how to correctly demonstrate that the notice provisions have been complied with

Module 8 - Finalising the Claim

- Understand why the Executive Summary and Statement of Claim are important parts of a claim narrative
- Learn what should be included in these sections and how to effectively draft them
- Appreciate the importance of substantiating every statement made, every fact relied on and each calculation included in the claim
- Understand how to best provide substantiation to assist the reviewer and to ensure that your claim is a stand-alone document
- Learn how to organise and present exhibits, programmes, calculations and other documents. Ensure anything relied upon in the claim narrative is designed to make the reviewer’s job easy and efficient
- Appreciate the importance of having a peer review carried out before finalising the claim