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Proving And Pricing Construction Claims

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Proving and Pricing Subcontractor Delay Claims1. James G. Zack, Jr., CCM, CFCC, FAACEI, FRICS, PMP2. & Thomas F. Peters, P.E., CFCC3. Abstract - Much has been written over the years about proving and pricing contractor claims on construction projects. But little has been published about subcontractor delay claims.

Proving and Pricing Subcontractor Delay Claims1

There are several basic methods for pricing construction claims. The simplest method is the total cost method. The over-simplicity of the total cost method causes it to be frowned on and accepted only in extreme cases. The modified total cost method attempts to address those weaknesses but

still faces similar criticisms.

Proving Costs and Damages

Update on Proving and Pricing Inefficiency Claims. Lost productivity is a primary contributor to cost overruns that affect many construction projects. In simple terms, loss of productivity (also referred to as inefficiency, disruption, or impact) can be defined as the increased cost of performance caused by a change in the contractor's anticipated or planned resources, working conditions, or method of performance.

Update on Proving and Pricing Inefficiency Claims

The Three-Step Process to Prove Construction Inefficiency. By Mark Nagata. ... What we find in a lot of instances is that many claims, especially those with inefficiency or lost productivity components, fail to establish this cause and effect relationship between the alleged change and how the alleged change affected or impacted the efficiency ...

The Three-Step Process to Prove Construction Inefficiency

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In addition to daily reports, the following records should be prepared and maintained in the normal course of business to help prove claims and effectively manage the project: Correspondence file containing all correspondence relating to a specific claim, including letters and/or memoranda to and from the DOT and subcontractors.

How To Track Increased Construction Costs For Proving Claims

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Construction delays are one of the most common disputes that arise on projects. However, the process of establishing and proving a delay claim can get complicated quickly. That's why having a comprehensive understanding of the necessary elements to justify a delay claim can be a priceless advantage.

Construction Delay Claims: Types, Claims, and Defenses

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projects and often result in productivity loss (or disruption) claims. The standard of proof set by the courts and other dispute resolution mechanisms for the recovery of such claims is onerous. This demand, coupled with the extreme difficulty associated with proving disruption pose a major challenge to practitioners in their resolution.

A SYSTEMATIC METHODOLOGY FOR ANALYSING DISRUPTION CLAIMS

Involved in both prosecuting and defending claims on private and public projects in New Jersey and

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New York, including delay claims, construction lien and mechanic's lien foreclosure actions, defective work claims, bond claims, prompt payment act claims and trust fund issues; Co-vice chair, New Jersey State Bar Association, Construction Law ...

Proving and Pricing Subcontractor Delay Claims - OnDemand ...

Conversely, disruption claims are based on cost overruns associated with the altered work. Simply put: a delay is being late, while disruption is a change to the planned work. Proving a Disruption Claim. The problem with disruption claims, as well as many other construction claims, is the difficulty in proving the claim.

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