



## **MODULE 6**

### **Procedure and Presentation of Claims**

#### **VIDEO 2**

- **What Should be Included in a Claim?**
- **How Should a Claim be Presented?**

# What Should be Included in a Claim?

The Red, Yellow, Silver & Gold Books Sub-Clause 20.1 (*Contractor's Claims*) states that:

“ ... the Contractor shall send to the Engineer a fully detailed claim which includes full supporting particulars of the basis of the claim and of the extension of time and/or additional payment claimed.”

- Failure to submit an adequately expressed claim is one of the major reasons for the rejection of claims and/or disputes
- The onus is on the claimant to prove that the claim is just
- Examination of the cause
- Examination of the effect and linkage to the cause



Top Tip

# What Should be Included in a Claim?

- Examination of the final effect on the Time for Completion with explanations
- Calculations of the additional payment with explanations
- Examination of the contractual entitlement
- Substantiation of all the above
- Remember 'CEES' – Cause, Effect, Entitlement and Substantiation



Top Tip

# How Should a Claim be Presented?

Four key points to claims writing and presentation:



**1** Make the reviewer's job as easy and as pleasant as possible

**2** Ensure that the submission is a stand-alone document

**3** Assume that the reviewer has no prior knowledge of the project

**4** Do not include any irrelevant information

# Suggested Presentation of a Claim

## The Narrative

- Front cover
- Contents
- Executive Summary:
  - Summary of the main sections of the claim – maximum 2 pages
- Statement of Claim:
  - Brief details of the contract, project, nature of the claim, circumstances giving rise to the claim, cause, effect and entitlement, quantum of the claim

# Suggested Presentation of a Claim

## The Narrative

- Definitions, Abbreviations and Clarifications
- The Contract Particulars
  - Details of the parties, form of contract, contract price, dates of commencement and completion, previous claims and awards
- The Method of Delay Analysis
- Details of the Claim for an Extension of Time:
  - Cause, effect, delay analysis, entitlement
- Details of the Claim for Additional Payment:
  - Cause, effect, entitlement

# Suggested Presentation of a Claim

## The Appendices

- Exhibits:
  - Letters, minutes, site records etc.
- The Baseline Programme
- Delay Analyses Programmes
- Measurements
- Cost calculations
- Drawings