

AVOIDING AND MANAGING CONSTRUCTION CONTRACT CLAIMS

Jan. 7–9, 2020 Tentative Agenda

Module 1: Introduction

Basic understanding of:

- Contracts
- Claims
- Change
- Risk

Module 2: Design Phase

What can be done to manage risk in the design phase of a highway project?

- *Spearin Doctrine* effects on design
- Risk identification and risk management tools in the design phase

Module 3: Pre-Construction Phase: Pre-Bid Questions to Pre-Construction Conference

What can be done to manage risk in the pre-construction phase of a highway project?

- Pre-bid questions and meetings
- Bid escrow and bid tabulation review
- Pre-construction conference

Module 4: Construction Phase

What can be done to avoid claims in the construction phase of a highway project?

- Implicit rules affecting contract interpretation
- Explicit contract clauses affecting changes
- Schedule management
- Contract Time
- Field Documentation
- Office Documentation
- Identifying Impacts
- Addressing Impacts –Cost and Time Modifications

Module 5: Claim

What can be done to address claims once submitted during a construction project?

- Specification review
- Claim receipt
- Claim review and analysis
- Claim negotiation
- Claim decision
- Preparing for subsequent claim review levels
- Lessons learned

Module 6: End of Course Review and Assessment