Construction Claims and Dispute Resolution Training Course

Professional Development Training Course Outline

Category	Civil Engineering and Infrastructure Management	**Duration**	10 Days
Base Fee	$3,000 USD	**Delivery Mode**	Online / On-site Hybrid

Course Introduction

Despite rigorous planning and management, construction projects are inherently complex and prone to unforeseen challenges, leading almost inevitably to claims and disputes. Factors such as design changes, unforeseen ground conditions, adverse weather delays, scope creep, and payment issues can rapidly escalate into contentious situations, significantly impacting project budgets, schedules, and the crucial relationships between involved parties. In this dynamic and high-stakes environment, efficient and strategic Construction Claims Management and effective Dispute Resolution mechanisms are not just reactive necessities but proactive tools essential for mitigating financial losses, preserving project timelines, and maintaining collaborative working environments in the construction industry. Construction Claims and Dispute Resolution Training Course is meticulously designed to provide participants with a comprehensive understanding and practical application of best practices in managing construction claims and resolving disputes, from their inception to their conclusion. The curriculum will encompass mastering the systematic identification, meticulous substantiation, and compelling presentation of claims, delving deeply into various types of claims such as those arising from delay, disruption, acceleration, and variations. The course will thoroughly explore a spectrum of dispute resolution mechanisms, ranging from informal negotiations and formal Alternative Dispute Resolution (ADR) methods like mediation and Dispute Boards (DABs), to the intricacies of arbitration and litigation. Through detailed case studies, practical exercises in claims drafting, realistic mock negotiations, and insightful discussions on real-world scenarios, participants will gain the essential skills to analyze entitlements, accurately quantify damages, develop robust arguments, and strategically pursue or defend claims. The emphasis will be on practical application, equipping attendees to minimize the disruptive impact of disputes, avoid costly litigation, and foster a more collaborative and ultimately successful project delivery environment.

Programme Curriculum

Construction Claims and Dispute Resolution Training Course

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Course Objectives

Upon completion of this course, participants will be able to:

1. Analyze the fundamental causes and types of construction claims and disputes.
2. Comprehend the legal and contractual basis for claims entitlement in construction projects.
3. Master systematic techniques for identifying, documenting, and substantiating construction claims.
4. Develop expertise in preparing and presenting comprehensive claims for delay, disruption, and variations.
5. Formulate strategies for assessing and quantifying damages associated with various types of claims.
6. Understand the critical role of contemporaneous records and effective communication in claims management.
7. Implement effective processes for responding to and defending against construction claims.
8. Explore key strategies for preventing claims and avoiding disputes through proactive project management.
9. Apply methodologies for informal dispute resolution, including negotiation and expert determination.
10. Understand the importance of formal Alternative Dispute Resolution (ADR) methods (e.g., mediation, DABs).
11. Develop preliminary skills in navigating the arbitration and litigation processes for construction disputes.
12. Design a comprehensive claims management and dispute resolution strategy for a hypothetical construction project.

13. Examine global best practices, emerging trends, and ethical considerations in construction claims and dispute resolution.

Target Audience

This course is ideal for professionals involved in managing contracts, claims, and disputes in construction:

1. Project Managers: Responsible for contractual performance on construction sites.
2. Contract Managers & Administrators: Dealing with claims and variations daily.
3. Commercial Managers & Quantity Surveyors: Involved in claims quantification and negotiation.
4. Legal Professionals: Specializing in construction litigation and arbitration.
5. Construction Company Executives: Seeking to minimize dispute exposure.
6. Consultants: Providing claims and dispute resolution advisory services.
7. Engineers & Architects: Understanding their role in claims documentation.
8. Arbitrators & Mediators: Seeking to deepen their understanding of construction disputes.

Course Duration: 10 Days

Course Modules

- **Module 1: Introduction to Construction Claims and Disputes**
  - Define construction claims and disputes and their prevalence in the industry.
  - Discuss the common causes of claims (e.g., changes, delays, site conditions, payment issues).
  - Understand the significant impacts of claims and disputes on project cost, schedule, and relationships.
  - Explore the legal and commercial context of claims in construction contracts.
  - Identify the importance of proactive claims management and dispute resolution.
- **Module 2: Contractual Basis of Claims Entitlement**
  - Comprehend the fundamental principles of contract law as they apply to claims.
  - Learn about express and implied contractual terms giving rise to claims.
  - Master techniques for interpreting contract clauses related to variations, delays, and payment.
  - Discuss the role of standard contract forms (e.g., FIDIC, NEC, JCT) in claims.
  - Apply contractual analysis to determine entitlement in a claims scenario.
- **Module 3: Claims Documentation and Record-Keeping**
  - Develop expertise in systematic methods for capturing and organizing project records.
  - Learn about the critical importance of contemporaneous documentation for claims substantiation.
  - Master techniques for maintaining daily diaries, progress reports, correspondence, and meeting minutes.
  - Discuss the use of digital tools and platforms for effective record management.
  - Apply documentation best practices to build a robust claims file.
- **Module 4: Delay Claims: Analysis and Quantification**
  - Formulate strategies for identifying and analyzing various types of project delays.
  - Understand different delay analysis methodologies (e.g., Critical Path Method, As-Built vs. As-Planned, Time Impact Analysis).
  - Explore techniques for assessing concurrency, pacing, and causation of delays.
  - Discuss the quantification of delay damages (e.g., extended site overheads, head office overheads).
  - Apply delay analysis techniques to prepare a comprehensive delay claim.

- **Module 5: Disruption and Acceleration Claims**
    - Understand the critical concepts of construction disruption and its impact on productivity.
    - Implement robust approaches to identifying and substantiating disruption claims.
    - Explore techniques for quantifying disruption damages (e.g., measured mile, total cost method).
    - Discuss the principles and legal basis of acceleration claims (directed vs. constructive).
    - Apply methodologies to prepare claims for disruption and acceleration.
- **Module 6: Variation and Quantum Claims**
    - Develop expertise in managing variations (changes) to the contract scope.
    - Learn about the valuation of variations and the process for issuing change orders.
    - Master techniques for preparing quantum claims for unforeseen site conditions, extra work, and unforeseen events.
    - Discuss the use of expert reports and forensic accounting in quantum assessment.
    - Apply quantum analysis to a complex variation claim scenario.
- **Module 7: Claims Presentation and Negotiation**
    - Comprehend the principles of effective claims writing and presentation.
    - Learn about structuring a compelling claims narrative and supporting arguments.
    - Master techniques for preparing a clear and concise executive summary for claims.
    - Discuss negotiation strategies and tactics for resolving claims amicably.
    - Apply negotiation skills in a mock claims negotiation exercise.
- **Module 8: Claims Avoidance and Proactive Strategies**
    - Formulate strategies for minimizing the occurrence of claims through proactive management.
    - Understand the importance of clear contract drafting, robust risk allocation, and comprehensive planning.
    - Explore techniques for effective communication, collaboration, and early warning systems.
    - Discuss the role of project controls, earned value management, and dispute avoidance boards.
    - Apply claims avoidance strategies to reduce project risk and promote cooperation.
- **Module 9: Alternative Dispute Resolution (ADR) Methods**
    - Understand the critical role and benefits of ADR in construction disputes.
    - Implement robust approaches to using negotiation and conciliation effectively.
    - Explore techniques for successful mediation processes and drafting settlement agreements.
    - Discuss the function and efficacy of Dispute Adjudication Boards (DABs) and Dispute Review Boards (DRBs).
    - Apply ADR methods to resolve simulated construction disputes.
- **Module 10: Construction Arbitration**
    - Develop expertise in the principles and procedures of construction arbitration.
    - Learn about domestic and international arbitration rules (e.g., ICC, LCIA, AAA).
    - Master techniques for drafting arbitration clauses and initiating arbitration proceedings.
    - Discuss the role of arbitrators, evidence presentation, and enforcement of arbitral awards.
    - Apply arbitration principles to a mock arbitration hearing scenario.
- **Module 11: Construction Litigation**
    - Comprehend the basics of construction litigation and its distinctions from arbitration.
    - Learn about court procedures, discovery processes, and trial preparation.
    - Master techniques for engaging expert witnesses and presenting complex technical evidence.
    - Discuss the role of pleadings, motions, and appeals in construction lawsuits.
    - Analyze key legal precedents and their impact on construction dispute outcomes.
- **Module 12: Ethical Considerations, Trends, and Capstone Project**
    - Examine ethical considerations and professional conduct in claims and dispute resolution.

- Develop preliminary skills in assessing emerging trends: cybersecurity claims, BIM-related disputes, sustainability disputes.
- Discuss the impact of digital transformation and new technologies on claims management.
- Apply all learned methodologies to develop a comprehensive Claims Management and Dispute Resolution Strategy for a selected complex construction project.
- Present and defend the developed strategy, incorporating feedback and lessons learned.

Training Methodology

- **Interactive Workshops:** Facilitated discussions, group exercises, and problem-solving activities.
- **Case Studies:** Real-world examples to illustrate successful community-based surveillance practices.
- **Role-Playing and Simulations:** Practice engaging communities in surveillance activities.
- **Expert Presentations:** Insights from experienced public health professionals and community leaders.
- **Group Projects:** Collaborative development of community surveillance plans.
- **Action Planning:** Development of personalized action plans for implementing community-based surveillance.
- **Digital Tools and Resources:** Utilization of online platforms for collaboration and learning.
- **Peer-to-Peer Learning:** Sharing experiences and insights on community engagement.
- **Post-Training Support:** Access to online forums, mentorship, and continued learning resources.

Register as a group from 3 participants for a Discount

Send us an email: info@fineskilltrainingcenter.org or call +254769199797

Certification

Upon successful completion of this training, participants will be issued with a globally recognized certificate.

Tailor-Made Course

We also offer tailor-made courses based on your needs.

Key Notes

- Participants must be conversant in English.
- Upon completion of training, participants will receive an Authorized Training Certificate.
- The course duration is flexible and can be modified to fit any number of days.
- Course fee includes facilitation, training materials, 2 coffee breaks, buffet lunch, and a Certificate upon successful completion.
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Upcoming Scheduled Sessions

Start Date	End Date	Location	Price

23 Nov 2026	04 Dec 2026	Online	$2,000
23 Nov 2026	04 Dec 2026	Physical	$3,000
23 Nov 2026	04 Dec 2026	Physical	$6,000
23 Nov 2026	04 Dec 2026	Physical	$6,000
23 Nov 2026	04 Dec 2026	Physical	$12,000
23 Nov 2026	04 Dec 2026	Physical	$9,000
23 Nov 2026	04 Dec 2026	Physical	$12,000
23 Nov 2026	04 Dec 2026	Physical	$12,000

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