

Helping Your Develop World-Class Competency In...

Claim & Counter-Claim Management

Win-Win Settlements Getting the Best Deal For Your Organization

2 Week Training Workshop

- ✓ Preparing Claims
- ✓ Analyzing Claims
- ✓ Negotiating Claims
- ✓ Resolving Disputes

A 2 Week Training Workshop

Program Overview

Claims are common on Construction, Service and Maintenance Projects. 99.99% of these get sorted out through negotiations. The negotiated settlements depend on the effectiveness of the negotiation preparation process in your organization. Preparation for negotiations must essentially follow the same methodology as for resolving the dispute in a court of law or arbitration.

Simplistic view of claims is dangerous - it often leads to insufficient protection of your organization's interests. This Program Can Save Your Organization Substantial Sums which would have been paid as Claims, Delays and Consultant Fees.

Program Content

1. What are Claims?
2. What are Counter-Claims?
3. Disputed Variation Orders
4. Constructive Changes leading to Claims
5. Fundamental Principles Involved in Claims:
 - a. Proving Liability
 - b. Proving Causation
 - c. Proving Damages and Injury Caused (Quantified)
6. Standard of Proof Required: Preponderance Standard.
7. Causation. Checking Causation Evidence to Enable a Rebuttal of Contractor's Claim.
 8. Causation - Linking to Disruptive Occurrence.
 9. Proof of Causation
 10. Tools and Methods for Showing and/or Checking for Satisfactory Causation Proof
 11. Schedules, Critical Path Method (CPM), As-built Schedules, Expert Witness
 12. How to Prove Linkage between Liability and Resultant Injury or Damages?
 - a. including Delay,
 - b. Disruption of Work,
 - c. Interference,
 - d. Inefficiency,
 - e. Acceleration,
 - f. Constructive Acceleration,
 - g. Productivity Loss,
 - h. Mobilization,
 - i. Re-mobilization,
 - j. Concurrent Working,
 - k. Idle Resources,
 - l. Additional Storage,
 - m. Price and Labor Escalation,
 - n. Unavailability of Skilled Manpower,
 - o. Ripple Effect,
 - p. Overtime Working, Procurement Costs,
 - q. Inefficient Use of Resources,
 - r. Injury to Workmen. etc.

Claim & Counter-Claim Management Training Program (CPP305-2)

13. Recovery of How Much of Claim Damages/Loss Possible?
14. Quantification Methods for Claims
15. Lowest Possible Price Method
16. Lowest Reasonable Price Method
17. Reasonable Price Method
18. Estimated Price Method
19. Actual Cost Method
20. Fair Market Value Method
21. Contractor's Current Cost or Pricing Data Method
22. Contractor's Tender Breakdown Method
23. Formula Pricing vs Total Detailed Cost Pricing
24. Dealing with : Honest Mistakes and Errors, Exercise of Discretion, Deleted Work, Contractor's Low Cost Innovations, Unbalanced Bid Items, Under or Over Recovered Overhead and Profit, Subcontractor's Costs
25. Specific Contractual Limitations on Recovery, Special Damages, Defective Performance, Commercial Waste, Claim Presentation Expenses
26. Total Cost Approach, Total Productivity Loss Approach, Expert Witness Methods
27. Preparing Analyzing the Claim Document: Skills in Putting the Claim Document Together as well as Pulling It Apart.
28. Effective Claim Presentation
29. Claim Checklists
30. Steps in the Claim Preparation Process. Preparation and Analyzing: Quality Assurance in Preparation and Analyzing Plans.
31. Effective Presentation of Claims and Counter Claims.
32. Arbitration: Provisions and Procedures.
33. Benefits and Economics of Negotiated Settlements.
34. Win-Win Philosophy.
35. Negotiated Settlement of the Claim
36. Changing the expectations of the other party - How Expectations can be Changed?
37. Pre-Negotiation Planning: Detail requirements and analysis of the contractor's estimate.
38. Contractor's cost and price data.
39. Audit of Contractor's cost data.
40. Preparing independent estimates. Sources for independent estimates.
41. Establishing flexible negotiation strategies.
42. Conducting Negotiations.
43. Some Effective Negotiation Tactics and Tricks People Use: Consider using them, Countering them.
44. Workshop 1
45. Outline Action Plan to Implement Improvements based on Program Discussions
46. Workshop 2
47. Advanced Topics - More Details on Above Issues Important for Particular Participant Group (Customization)
48. Action Plan to Implement Improvements based on Program Discussions
49. Program Recommendations

Who Should Attend?

All Participants will take away a good multi-discipline understanding of the issues involved in their work. Program will help the participants quickly become productive quickly and help build a knowledge framework that will help them identify, understand, classify and remember this program discussed technology, On the job learning and life experiences.

This program can be used to train implementation teams - when a new project or initiative is being started in your organization; when a new strategic focus is being initiated; just prior to a consultant being hired to advise the organization

Program Outcomes and Take-Away/s

Euro Training is in the business of providing practical useful training programs. Programs that

1. Help the participant implement improvements in his organization.
2. Help the participant gain Multi-discipline understanding of the issues so that he can incorporate the needs and expectations of all his stakeholders/ customers in his improvement proposals and actions.
3. Help build a knowledge framework in which job related experience can be caught and remembered as his experience.

Benefits to Organization

Sending participant/s to this program will benefit the organization in the following ways

Claim & Counter-Claim Management Training Program (CPP305-2)

1. Quickly makes the participants competent, effective and productive on his job. Useful especially for
 1. Training New employees
 2. Competency Building in Existing Employees Transferred to a New Assignment
 3. Training Prior to a New Project or Initiative Planned in the Organization
2. Create Competency in the employee to perform his job well, including in relation to
 1. Relevant Technical Knowledge, Skills and Competencies
 2. Organizations' Strategic Objectives
 3. Needs and Expectations of the Stakeholders/ Customers (internal & external)
 4. Good Management Practices
 5. Identifying opportunities to Exceed Stakeholder/ Customer Expectations

Participant Individual Career Benefits

1. You gain a multi-discipline understanding of the issues. Meaning when you make proposals and decisions on your related job you will keep in mind the needs and expectations of ALL the stakeholders/ customers (internal & external)
2. The action plan you take away will help you make a difference in your business unit or organization! When you talk about this difference you have made to your organization in your resume, you will be a prime candidate for career advancement in your own organization or in your next job(s).
3. Understanding and acting with understanding of the Needs and Expectations of your stakeholders/ customers is known to enhance Job Satisfaction and reduce Monday Morning Blues.
4. As one of your stakeholders/customers is Executive Management, the program ensures that you know the strategic imperatives that drive the organization's efforts in your relevant job area.

This Program is Intended for...

Those new to the field take away a good multi-discipline understanding of the issues involved in their work. It helps them in becoming productive quickly and in building a knowledge framework that will help them identify, understand, classify and remember on the job learning and experiences.

More experienced participants take away an individualized action plan as mentioned in the previous sections.

Implementation Teams: This program can be used to train implementation teams...

1. when a new project or initiative is being started in your organization
2. when a new strategic focus is being initiated
3. just prior to a consultant being hired to advise the organization

Registration Recommendations

Team Nominations: This program aims to ensure the participants have their individualized improvement plan at the end of the program. So, foreseeing the effort involved, anticipating resistance and implementation requirements, it is recommended that the organization nominate **at least two participants together** (three will be more desirable) for this program.

It is anticipated that these 2 or more participants will work together as a team or provide mutual support in order to implement the action plan.

Single nominations will also be accepted for the program. Single nominations are typically used to

1. Develop personnel skills in critical skills and methodologies covered in this program.
2. Train individuals for leadership roles in business units or departments. This program will help the participant coach and lead his team in these critical skills and methodologies. (The program typically does not cover coaching skills but provides the related technical understanding in an easy to communicate manner).

For Latest Program Schedule Email:

cpp305-2@EuroTraining.com

www.eurotraining.com/bro/cpp305-2.php

REGISTRATION FORM	
Program:	Claim & Counter-Claim Management Training Program (CPP305-2)
Location Where Attending:	
Program Dates:	
Whether Participant will Consider Alternate date if one requested is not available:	
Participant Name Prefix: Mr/Ms/Mrs	
Participant Name:	
Participant Job Title:	
Participant Department & Section:	
Participant Employer/ Company:	
Participant's Present Job Responsibilities:	
Participant Email Address:	
Participant Mobile Number:	
<u>Sponsored by:</u>	
Sponsoring Company:	
Job Title of Sponsoring Authority:	
Name of Sponsoring Authority:	
Email of Sponsoring Authority:	
Fax of Sponsoring Authority:	
Telephone Nos. of Sponsoring Authority:	
Web Site of Sponsoring Company:	
Invoice Reference:	
Invoicing Address:	

REGISTRATION INFORMATION

- To register: Please send us an official letter confirming registration (on organizational letterhead or Authorized Email).
- Program Fee is
 - o USD \$8,900 per participant and includes Course Materials, Certificate, Refreshments and Lunch. (Fee at London, Paris and Kuala Lumpur is \$9,790 per participant)
- Accommodation & Taxes/VAT (if applicable) is not included in Program fee. Special rates will be available at venue hotel for the participants.
- Special discount of 10% is offered for participants who pay their fees at least 45 days before start of the program.
- Refund will not be considered where the participants cancel his registration less than 3 weeks before start of the program. Alternate nominations will be allowed anytime before program start.
- All participants are required to fill in Participant Information form - on first day of the program. Each program Undergoes Customization to Better Meet Participant Present and Future Career Needs. Please be prepared to let the Instructor/s know about your organization's Special Needs, Interests or Initiatives.
- It is always useful for participants to bring their existing useful problems or case studies, work-process flow charts or job related problems for discussion - consideration will be at sole discretion of the program director/s.
- Provisional Registration: You can make a provisional registration by sending us an email – an official registration request can be made within 2 weeks. This will ensure we will reserve a seat. All provisional registrations automatically cancel 2 weeks before program start.
- Please note: No Live Voice Requests for Registration or Provisional Registrations.