

Dispute and Claim Management in Construction & Capital Projects

Assessing claims and strategizing regarding disputes to minimise your risk and maximise your contractual rights

Construction projects are inherently complex and idiosyncratic. Challenges include overly complex amendments, changes to the intended scope and other issues that can carry significant reputational, contractual, financial and commercial risk.

Disputes & Claims Services



Expertise in dispute resolution proceedings

Provide assistance in reaching amicable settlements

Act as an independent, expert witness in dispute resolution proceedings.

Review and analysis of disputes, prepare expert reports (e.g. on time analysis or quantum analysis) and analyse specific construction and engineering technical and financial issues.



Claim preparation, defence and analysis

Provide strategic and tactical advice on the measures to implement to make or defend against a claim successfully.



Forensic review of construction and capital projects

Provide forensic evaluation of time and cost data to prepare for formal proceedings and internal audit matters.

Provide evidence that all actual costs incurred were allocated correctly.

Provide assurance on the risks regarding the causes and effects of delays, disruptions, excusable/non-excusable delays, non-compensable delays, acceleration and prolongation.



Commercial and contractual management

Conduct integrity due diligence for all aspects of commercial and contractual matters in projects (i.e. tendering, contractual, execution, amendments, and final account management.)



Investigations

Conduct an independent review of potential misconduct and operation irregularities enacted or caused by employees or management and prepare an investigation report revealing the facts.

Sample situations and cases

As a contractor or employer, if you are not confident in providing answers to the following questions, we can assist you by providing the technical expertise you need.

- Are you aware of **financial, operational, reputational and legal risks** caused by **delays** and **cost overruns**?
- Do you need to **defend against a claim** and/or **produce a counterclaim** against an employer or contractor?
- Are you capable of calculating a **loss of productivity** and preparing a **disruption claim** (cost and time exercise)?
- Do you need advice on **variation claims** and costs due to changes in scope of work?
- Are you well prepared for protecting your organisation from possible damages due to **time extension and prolongation claims**?
- Do you have any **suspensions about management or project team** decisions in key activities?
- Do you need to conduct a **forensic review** on your contract administration?

Sample deliverables

Prepare independent reports to be used in national and international court proceedings:

- Quantum report calculating the possible damages/ losses
- Expert report
- Fact finding report
- Technical report covering time/delay analysis

Competitive advantage of PwC

Forensic rigor

Experts experienced in testifying in international arbitration and local litigation.

Industry experience

A team with deep subject matter expertise in construction projects for a range of large and small organisations in the local and global markets.

Multi-disciplinary approach

Multi-disciplinary backgrounds in engineering, valuation, and accounting and finance, with many of our team augmenting their technical degrees and experience with professional and legal qualifications.

Certified professionals

Highly qualified and dedicated team including Certified Fraud Examiners (CFE), Certified Public Accountants (CPA) and more.

Global reach

Part of a global network of more than 295,000 professionals in 156 countries who have extensive experience.

Cutting edge technology

Find business solutions using advanced technology tools.

Our Select Project Experience

Arbitration support for HEPP project

Phase I: Forensic investigation of several allegations made against the General Manager to understand the circumstances and nature of the alleged wrongdoing. Identified parties invoiced and assessed the potential losses resulting from the fraudulent activities related to construction projects.

Phases II & III:

- Prepared a quantum report calculating damages and losses suffered by the contractor due to deficient performance
- Provided a strategy for administering the claims, defending against the claims and preparing counterclaims. Further assisted the client by representing them during arbitration hearings

Expert support for multi-functional complex design project

Appointed as an expert witness by the International Court of Arbitration (ICC). Performed quantum analysis, assisted the claimant with claim preparation and defence, provided an independent expert report and attended the hearing for the cross-examination process.

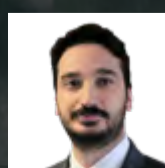
Investigation support to infrastructure service provider

Investigation into construction undertaken by the former board. Prepared a court report addressing improper payments that were noncompliant with the contract.

Investigation into contractor of a institutional construction project

Investigation into a building construction project commissioned by the former board of trustees. Performed detailed review of the contract and progress-billings to identify the total amount of the inflated costs and revealed a conflict of interest between the board and contractor. Prepared an independent report for local court proceedings.

Contact



Dr. Gökhan Yılmaz

Partner
+90 212 326 6488
gokhan.yilmaz@pwc.com