

# CASE STUDY: DISPUTE MANAGEMENT

CLIENT	Process Engineering Contractor
PROJECT	CHP Plant
CONTRACT	Bespoke
CONTRACT VALUE	£30m
BLAKE NEWPORT SERVICES PROVIDED	Undertaking due diligence in respect of quantum and delay analysis for claim preparation.



## SITUATION

Blake Newport was commissioned by the client to provide due diligence services in respect of the quantum and delay analysis for a claim prepared in-house by the client's own personnel. The client had identified a need for expert opinion as to the veracity of the information contained within his claim submission document.

## IMPLICATIONS

A significant dispute had developed between the client and the employer, the client having suffered a considerable cost overrun. The client had prepared for submission a claim document which comprised significant sums for prolongation and variations. The employer had consistently denied any liability for prolongation or for varying the works. The client required an expert opinion on the quantum and delay analysis which he would be reliant on if the matter was to proceed to Arbitration.

## OBJECTIVE

The main objective was to determine the accuracy of the proposed claim document in terms of the quantum and legal liability. Blake Newport was required to review the quantum and delay analysis information contained in the client's claim submission and liaise with the client's legal team on questions of liability.

## BLAKE NEWPORT SOLUTIONS

Blake Newport commenced a programme of critically analysing the heads of claim to be submitted. Questions pertaining to legal liability were referred to the client's legal team whilst analysis of quantum and delay was undertaken. Once expert opinion on the quantum and delay analysis had been concluded the impact on the heads of claim of liability could be considered.

## OUTCOME

The expert opinion produced by Blake Newport reduced the value of the claim document by two thirds. However the expert opinion provided did enable the client to pursue the matter with the employer with confidence. Following a period of negotiation the client achieved a sizeable settlement figure with the employer.