Construction Claims Management and Liability Analysis Training Course

14 - 18 Dec 2026

Kuala Lumpur

5200 € (Per Person)

Ref: #CON1217_86955

Course Introduction / Overview:

The global construction industry is characterized by its complexity, high stakes, and the inherent potential for disputes. Effectively managing construction claims is no longer a peripheral skill but a core competency for project success. This intensive training course provides a comprehensive framework for understanding, preparing, and resolving construction claims while meticulously analyzing liability. Drawing on principles outlined by leading experts like Andy Hewitt in his seminal work, "Construction Claims and Responses", this program delves into the practical realities of claim management. Participants will navigate the entire lifecycle of a claim, from initial identification and substantiation to negotiation and formal dispute resolution. BIG BEN Training Center has designed this course to equip professionals with the tools to not only defend against claims but also to successfully pursue legitimate entitlements. It moves beyond theoretical concepts to offer actionable strategies for managing contract variations, delays, disruptions, and cost overruns, ultimately safeguarding project profitability and mitigating financial risk in a highly competitive and often adversarial environment. This course is the definitive guide for mastering the intricate art and science of construction claims and liability.

Target Audience / This training course is suitable for:

- Project Managers and Directors.
- Contract Administrators and Managers.
- Commercial Managers.
- Quantity Surveyors.
- Construction Lawyers and Legal Counsel.
- Claims Consultants and Analysts.
- Site Engineers and Managers.
- Procurement and Purchasing Managers.
- Project Control Professionals.
- Dispute Resolution Practitioners.

Target Sectors and Industries:

- Construction and Engineering.
- Real Estate and Property Development.
- Oil and Gas.
- Infrastructure and Transportation.
- Power and Utilities.

- Governmental bodies and Public Works Agencies.
- Manufacturing and Industrial Projects.
- Consulting and Legal Services.

Target Organizations Departments:

- Project Management Office (PMO).
- Legal and Compliance Departments.
- Contracts and Procurement Departments.
- Commercial and Financial Departments.
- Engineering and Technical Services.
- Planning and Scheduling Departments.
- Risk Management Departments.

Course Offerings:

By the end of this course, the participants will have able to:

- Identify the contractual basis for claims under various contract forms like FIDIC.
- Prepare robust and well-documented claims for time extensions and additional costs.
- Analyze and quantify the financial impact of delays, disruptions, and variations.
- Develop effective strategies for defending against incoming claims.
- Master various delay analysis methodologies to prove causation and entitlement.
- Conduct thorough liability analysis to determine legal responsibility and exposure.
- Navigate the processes of negotiation, mediation, and arbitration effectively.
- Implement proactive claim management systems to minimize disputes on future projects.
- Evaluate the strengths and weaknesses of both claimant and respondent positions.
- Draft clear and persuasive claim and response correspondence.

Course Methodology:

The training methodology at BIG BEN Training Center is designed to be highly interactive, practical, and engaging, ensuring that participants can immediately apply their learning in a real-world context. This course moves beyond traditional lectures by incorporating a blended learning approach. A significant portion of the training is dedicated to analyzing real-world case studies, allowing participants to dissect complex claim scenarios and understand the practical application of legal and contractual principles. Interactive group discussions and workshops encourage peer-to-peer learning and the sharing of diverse experiences and perspectives. Practical exercises will focus on key skills such as drafting claim notices, preparing quantum calculations, and developing a critical path delay analysis. Role-playing sessions will simulate claim negotiation and mediation meetings, providing a safe environment for participants to practice and refine their communication and dispute resolution skills. Our expert instructors facilitate a dynamic learning environment, providing continuous feedback and guiding participants through the complexities of claim management and liability analysis, ensuring a deep and lasting understanding of the subject matter.

Course Agenda (Course Units):

Unit One Foundations of Construction Claims and Contracts

- Introduction to construction law and the legal framework for claims.
- Understanding different types of construction contracts (e.g., FIDIC, NEC).
- Defining a claim and identifying common causes of disputes.
- The role of contract administration in claim prevention.
- Key contractual clauses related to notices, variations, and claims.
- Distinguishing between claims, variations, and disputes.
- The importance of contemporaneous records and documentation.

Unit Two Claim Identification, Substantiation, and Preparation

- Recognizing claimable events and triggers.
- The process of issuing timely and contractually compliant notices.
- Gathering and organizing evidence to substantiate a claim.
- Structuring a compelling claim narrative.
- The "cause and effect" principle in claim preparation.
- Developing a detailed statement of claim.
- Common pitfalls to avoid when preparing a claim submission.

Unit Three Extension of Time (EOT) and Delay Analysis

- Principles of time management and project scheduling.
- Understanding critical path methodology (CPM).
- Types of delay: excusable, non-excusable, and compensable.
- Concurrent delays and the challenges of apportionment.
- Introduction to forensic schedule analysis techniques.
- Methods of delay analysis: As-Planned vs. As-Built, Time Impact Analysis.
- Presenting a delay analysis effectively to support an EOT claim.

Unit Four Quantum Claims and Financial Assessment

- Principles of calculating and proving financial loss.
- Quantifying direct costs, prolongation costs, and overheads.
- Methods for assessing disruption and loss of productivity.
- Valuation of variations and change orders.
- Understanding and calculating financing charges and interest.
- The role of expert witnesses in quantum assessment.
- Preparing and presenting the financial components of a claim.

Unit Five Liability Analysis, Dispute Resolution, and Claim Management

- Analyzing liability and establishing causation.
- Strategies for responding to and defending against claims.
- The dispute resolution ladder: negotiation, mediation, and adjudication.
- Introduction to arbitration and litigation processes.
- Techniques for effective claim negotiation and settlement.
- Developing a proactive claim management strategy for projects.
- Lessons learned and implementing best practices to avoid future disputes.

FAQ:

Qualifications required for registering to this course?

There are no requirements.

How long is each daily session, and what is the total number of training hours for the course?

This training course spans five days, with daily sessions ranging between 4 to 5 hours, including breaks and interactive activities, bringing the total duration to 20 - 25 training hours.

Something to think about:

In an industry where adversarial relationships can escalate costs and delays, how can proactive claim management transform from a defensive mechanism into a tool for collaborative project recovery?

What unique qualities does this course offer compared to other courses?

This training course distinguishes itself by offering a holistic, 360-degree perspective on the claims process, meticulously designed for practical application rather than mere theoretical recitation. Unlike programs that focus solely on either claim preparation or defense, this course equips participants with the dual expertise to both formulate compelling claims and critically analyze and defend against them. This balanced approach provides a deeper understanding of the strategies employed by all parties in a dispute, fostering a more strategic and commercially astute mindset. The curriculum places a strong emphasis on real-world case studies, moving beyond textbook examples to dissect complex, multi-faceted disputes from actual projects. This allows participants to grapple with the nuances and ambiguities that characterize genuine construction claims. Furthermore, the course dedicates significant time to developing negotiation and dispute resolution skills through interactive role-playing, recognizing that technical excellence in claim preparation is only effective when paired with the ability to communicate, persuade, and achieve a favorable settlement, thereby bridging the critical gap between technical analysis and successful commercial outcomes.