



SDC & Associates, Inc.

Coast to Coast

Claim Experts & Construction Consultants



In-House Training Program

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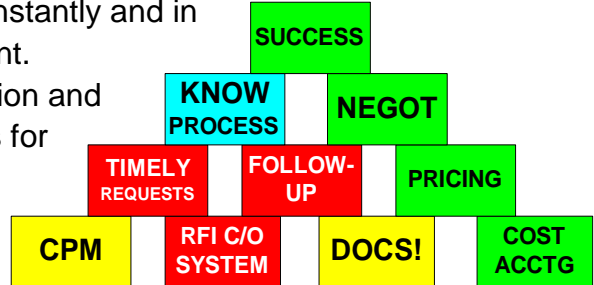
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Why SDC & Associates?

SDC & Associates recognizes the importance of bringing top quality training programs to the construction industry. *In the management of construction projects, proper ongoing training is a major risk management tool.* In business, the rules and procedures change constantly and in contracting, change is the most reliable constant. Moreover, day-to-day staff recruitment, promotion and turnover create opportunities and requirements for training and re-training. The problem is that in most cases *training* is nothing more than a hurried instruction to an overworked employee!



At **SDC & Associates** we understand the importance of sharing our knowledge and experience. *We systematically record and format our knowledge and experience in ways that communicate to the construction professional at*



San Diego Convention Center

all levels. And because example is the best teacher, our over 40 years of construction experience provides a wealth of specific examples for nearly every situation.

“Great info! This will provide us with templates and vital information we otherwise would have never known about or pursued...will save us thousands of dollars! Thank you.”

Randy Powell, Barham, Inc.

Firms, Institutions, Agencies & Associations That Have Benefited From Our Experience!

Baker Electric
Brown & Root
C.A. Rasmussen
City Of Carlsbad
City Of San Diego
Concrete Reinforcing Steel Institute (CRSI)
Construction Financial Managers Association (CFMA)
Contracting Opportunity Center Of Southwestern College
Disputes Review Board Foundation (DRBF)
Dynaelectric Corporation
Fresno's Builders Exchange (FBE)
Gordon H. Ball
Granite Construction
Johnson-Kinsey
Metropolitan Water Department
National Association Of Women In Construction (NAWIC)
National Electrical Contractors Association (NECA)
PCL Construction
Port Of San Diego
Reno Airport Authority
Rosedin Electric
San Diego State University (SDSU)
San Diego Water Authority (SDWA)
Texas DOT Snohomish County Public Works
University Of California San Diego
American Subcontractors Association (ASA)
Associated Builders And Contractors (ABC)
Associated General Contractors (AGC) California
Associated General Contractors (AGC) San Diego Chapter
American Society Of Heating, Refrigeration, & Air Conditioning Engineers (ASHRAE)

Black & Veatch
Baldwin Contracting
Burns & McDonnell
CalTrans
City Of Las Vegas
City Of San Jose
C.C. Myers, Inc.
Ch2M Hill
CRSS
Flatiron Construction
Fluor-Daniels
Helix Electric
J.F. Shea
J.W. Electric
Neal Electric
Nevada DOT
Parsons
Perini Construction
Ray Wilson
R&L Brosamer, Inc
Taisei Construction
T.Y. Lin International
URS
Univ. of Cincinnati



Our Instructors



In order to provide a quality-learning environment it is imperative that instructors are drawn from the ranks of ***experienced construction industry professionals***. With **SDC & Associates** you are guaranteed that our instructors will be of the highest caliber including:

- Anwar Hafeez is the President and Founder of **SDC & Associates** and a nationally known and respected engineer and construction project manager, who has personally ***supervised over \$1.4 Billion*** of major construction projects over the past 40+ years and ***settled over \$300 Million of Change Orders & Claims***.

His most notable projects include the San Diego Convention Center, Los Angeles Central Library, Los Angeles International Airport (LAX) Expansion for the 1984 Olympics, Washington DC Subway System (WMATA), Radisson's Flagship Hotel in Manhattan Beach (CA), Armed Forces Medical University in Bethesda (MD), and Walter Reed Army Hospital Barracks.



LAX Expansion

You Select The Training Curriculum

SDC & Associates offers a broad range of training topics available to your employees. We can tailor our offers to your employee's specific needs or you can select from our compressive list of ***developed, tested, and proven*** training programs. We offer a range of solutions to fit your employees needs, from ***one or two days programs*** to a comprehensive suite of week long programs in Project Management or Change Orders & Claims that start with the basics and end with the some of the most advanced training available!

Developed, Tested & Proven Courses

SDC & Associates offers a broad range of training topics available to you and your staff.

Change Orders & Claims Course Descriptions

How to Win the Fight! Change Orders & Claims

This seminar teaches your employees how to prevent claims while at the same time developing the procedures and documentation required to properly identify, document, prepare, calculate, present, evaluate, negotiate, and win valid change orders and claims. It also teaches how to win conflicts between specifications and drawings every time. These techniques apply both to public works projects and private commercial projects, and provide valuable insight to increase the profits and protect the bottom line.

(Please see Appendix A for Daily Agenda.)

Maximize your Cash Flow on Differing Site Condition Claims

This seminar teaches your employees about the lively and urgent topic of differing site conditions, and is a must for anyone working on renovation and underground projects. This seminar will help your employees to further develop their skills in preparing, negotiating, preventing, and defending change orders and claims as well as teaching them the “best practices” for owners, designers, and contractors, and proven techniques for successful claims resolution for this very complex type of claim. This seminar includes a very interesting interactive actual case study.

(Please see Appendix B for Daily Agenda.)

Increase your Cash Flow on Inefficiency Claims

This seminar teaches your employees how to price and evaluate the hardest type of construction claims costs, i.e. inefficiencies. Contractors learn the specifics of how to construct a winning claim, and owners, architects and engineers learn better methods of fairly evaluating a claim. This seminar includes actual case studies. Problems are solved including the calculation of inefficiencies related to overtime, learning curve, trade stacking, overcrowding, excessive change orders, measured mile, consequential inclement weather, etc. These techniques apply both to public works projects and private commercial projects, and provide valuable insight to increase your profits and protect your bottom line.

(Please see Appendix C for Daily Agenda.)

Successful Cash Flow Resolutions to Delay Claims

This seminar teaches your employees how to prevent, price, and resolve the very complex issue of project delays, while at the same time developing the procedures and documentation required to increase your profits. This seminar will help your employees further develop their skills in preparing, negotiating, preventing, and defending delay claims as well as teach them proven techniques for successful delay claim resolution. There will be three case studies discussed.

(Please see Appendix D for Daily Agenda.)

Pricing & Negotiating Change Orders & Claims Like a Pro

This seminar teaches your employees how to price and negotiate change orders and claims like the experts on the toughest construction projects, while creating a win-win situation for both parties. This seminar will help your employees further develop their skills in pricing and negotiating change orders and claims to maximize profits, as well as teach those proven techniques and insider tips for successful change orders and claim negotiations. There will be two case studies in which your employees will participate in the pricing & negotiation of the claims!

(Please see Appendix E for Daily Agenda.)

Improve your Cash Flow on Delay & Disruption Claims

This seminar will help your employees to further develop their skills in pricing, negotiating, preventing, and defending the very complex issue of delay and disruption claims as well as teaching your employees proven techniques for successful claim resolution, while at the same time developing the procedures and documentation required to increase their profits. Learn the specifics of what monetary damages you are due in a winning claim. Problems are solved including the calculation of inefficiencies related to overtime, learning curve, trade stacking, overcrowding, excessive change orders, measured mile, learning curve, consequential inclement weather, etc. These techniques apply both to public works projects and private commercial projects, and promote and protect your bottom line. This seminar includes actual case studies.

(Please see Appendix F for Daily Agenda.)

Successful Cash Flow Resolutions To Inefficiency & Differing Site Conditions Claims

This seminar teaches your employees how to price and evaluate the two of hardest types of claims: Inefficiencies and Differing Site Conditions. This seminar will help your employees to further develop their skills in preparing, negotiating, preventing, and defending change orders and claims as well as teaching them the “best practices” for owners, designers, and contractors, and proven techniques for successful claims resolution for these very complex types of claims. These techniques apply both to public works projects and private commercial projects, and promote and protect your bottom line. This seminar includes very interesting interactive actual case studies.

(Please see Appendix G for Daily Agenda.)

Proving and Pricing Subcontractor Change Orders Seminar

This seminar introduces you to different types of change orders and claims subcontractors are faced with and shows you winning strategies for each type. This seminar will help you develop your skills in setting up the proper procedures and documentation required to properly identify, document, prepare, calculate, evaluate, negotiate, and win valid change orders and claims. These techniques apply both to public works projects and private commercial projects, and provide valuable insight to increase your profits and protect your bottom line.

(Please see Appendix H for Daily Agenda)

Improve Cash Flow with Documentation/ Change Orders/ Delays/ Inefficiencies

This is a four part series, each session will cover different topics including, Proper Documentation: How do the daily reports make the company money? Change Orders and Claims: How to win conflicts, omissions, defective docs every time, Delay Claim Cost Calculations: Who is responsible for what delay? Inefficiency Claim Costs: Calculating change order inefficiency costs. These sessions will help you develop your skills in pricing, negotiating, preventing, and defending the very complex issues of construction claims as well as teach you proven techniques for successful claim resolution, while developing the procedures and documentation required to increase your profits. These techniques apply both to public works projects and private commercial projects, and provide valuable information to increase your profits and protect your bottom line.

(Please see Appendix I for Daily Agenda)

Project Management Course Descriptions

“What the wise do in the beginning fools do in the end.”

Warren Buffet

Pre-Construction Planning

This seminar teaches your employees how to set-up a construction project the right way for great project management and change order success. The step-by-step instruction in setting-up a project teaches your employees how to save time and money before the job starts.

Victorious Project Management

What are the techniques that experienced Project Managers have found that really work to keep projects on track, on budget, and with less hassle? We will tell your employees! This seminar includes information on the advantages of great documentation, how to measure productivity and the nine building blocks to success.

Scheduling For Management

This seminar teaches your employees the basics of developing good CPM schedules, float, milestones, durations, constraints, resources, bar charts, pitfalls of bar charts, how to cost and resource load for profit and how to prepare time extension using the schedule. We teach the games people play with CPM schedules, the owner defenses and much more.

Problem Solving 101

Learn how to become the leader, what it means to represent the company, how to motivate workers, how to get crews to buy into your plan, and why good communication leads to project success.

ADR For Management

No one wants litigation! Litigation is costly, time consuming and out of your control. This course presents the ABC's of Alternative Dispute Resolution including Arbitration, Mediation, Partnering and Dispute Review Boards. We teach what the other ADR processes are and how to utilize ADR processes to resolve problems and disputes.

Construction Law

Learn from a World Class Construction Attorney what documents are included in a construction contract, what sections of the contract / sub-contract are important for Project Manager's to review, the ten murder clauses to avoid or modify, and essential elements of federal and state law.

Effective Presentation Skills for Project Managers

Learn interactive verbal communication skills and practical writing tips to help get your point across, how to make a commanding presentation to win any case, and how to develop and present dynamic proposals.

Project Management In The 21st Century & Project Closeout

Learn how to choose an Internet based Project Management system, how to use the Internet to manage projects and why project closeout is so difficult. Learn why some companies can't seem to finish a project and the key role that subcontractors play in project closeout.

Other Course Include:

Effective Project Documentation (½ Day Seminar)

You know your employees need it! We show your employees how to get the field staff to do documentation in ways that protect and benefit your company.

Avoiding Disaster! Owners & Contractors Eliminate Claims & Disputes

This very popular explanation of simple methods both parties can implement to avoid claims and/or quickly resolve them. This seminar has been taught throughout the United States.

Claims & Change Orders: Types, Tips & Case Studies (½ Day Seminar)

An intensive seminar using actual case studies to illustrate how best to price and settle change orders before they grow into claims and how to document and negotiate both. Includes the identification of the many different types of claims and change orders and how to deal with them.

A Complete Course Of Training For Project Management

The Complete Project Manager Series

The Series is a comprehensive four-day course. All the great lessons learned over 40 years of project management and \$1.4 billion in construction are presented in a logical, usable and most enjoyable format with lots of real-world case examples. The sessions in the series are:

- *Pre-construction Planning*
- *Victorious Project Management*
- *Winning Cash Flow Strategies on Change Orders & Claims*
- *Scheduling For Management*

The Complete Senior Project Management Series

It takes at least 15 to 20 years to get the experience to be a Senior Level Project Manager. This Senior Project Management Series of Seminars adds substantially to “The Complete Project Manager Series” by providing you six additional exceptional seminars to attain the knowledge base of the Senior Project Manager Level in 10 months. The sessions in the series are:

- *Pre-construction Planning*
- *Victorious Project Management*
- *How to Win the Fight! Change Orders & Claims*
- *Scheduling For Management*
- *Pricing & Negotiating Change Orders*
- *Problem Solving 101*
- *ADR For Management*
- *Construction Law*
- *Effective Presentation Skills For Project Managers*
- *Project Management In The 21st Century & Project Closeout*

Alternate Dispute Resolution Course Descriptions

Dispute Review Boards: How Owners & Contractors Can Save Millions (½ Day Seminar)

Learn why they are used in the world's most successful projects and how they can solve problems before they can delay or disrupt projects

Techniques In Preventing Claims & Avoiding Litigation

No one wants litigation – it is costly, time consuming and out of your control. This course presents the ABC's of Alternate Dispute Resolution.

How To Prepare For Partnering (½ Day Seminar)

Learn thoughtful preparation and simple guidelines checklists & techniques to maximize the effectiveness of partnering.

How To Prepare For Mediation (½ Day Seminar)

Learn thoughtful preparation and simple guidelines checklists & techniques to maximize the effectiveness of mediation.

How To Prepare For Arbitration (½ Day Seminar)

Learn thoughtful preparation and simple guidelines checklists & techniques to maximize the effectiveness of arbitration.

If you want training on any topic not already shown, please contact us to discuss your training needs. Our *40+ years of experience* can open the door to most any construction-related topic.



So What Would You Like To Do?

Half Day In-House:

\$2,000 per day (up to 15 Students)

Full Day In-House:

\$3,000 per day (up to 15 Students)

Two Full Days In-House:

\$2,500 per day (up to 15 Students)

The Complete Project Manager Series (4 Days In-House):

\$10,000 (up to 40 Students)

The Complete Senior Project Management Series (10 Days In-House):

\$25,000 (up to 40 Students)

Other Training Options:

Call us and we will work with you to fit your training needs! We pride ourselves on being able to work with our clients in order to provide them with the educational experience that their employees need.

All SDC & Associates In-House Training Includes:

- Personal copy of large textbook in each *session (retail price \$125.00 per copy per day)*
- \$50 additional per student
- **SDC & Associates** provides all A/V equipment except 6' screen
- Facilities and meal for training to be provided by you
- Includes all **SDC & Associates** travel and expense
- Customizing the seminars for your firm or organization for free

Appendix A:

How to Win the Fight! Change Orders & Claims

08:00 a.m. – 08:30 a.m.

I. Overview

- A. Explanation of why Claims have escalated since 1979
- B. What will be covered in the seminar today

08:30 a.m. – 10:15 a.m.

II. Documentation Needed for Change Orders/Claims

- A. The Pyramid of Success - Successful Building Blocks
- B. Double Duty Documents – Using Cost Codes
- C. Keys to Building a Successful Project
- D. Case Study No. 1 - Submittals & Addendums

10:15 a.m. – 10:30 a.m. - Break

10:30 a.m. – 11:15 a.m.

III. Documentation Needed for Change Orders/Claims (Cont'd)

- A. The 5 Logs that You Must Keep
- B. A Winning RFI System
- C. How to Write a Great Daily Report - Case Study No. 2

11:15 a.m. – 11:30 a.m.

IV. Change Orders and Claims

- A. Different Types of Change Orders & Claims Part I
 - a. Owner Directed Change Orders
 - b. Time & Material Change Orders

11:30 a.m. – 12:30 p.m. - Lunch Break

12:30 p.m. – 02:30 p.m.

V. Change Orders and Claims

- A. The Spearin Doctrine – Defective Plans & Specs.
- B. Different Types of Change Orders & Claims Part II
 - a. How to Win Conflict & Omissions Every Time
 - b. Order of Precedence in Documents - Case Study No. 3
 - c. Ambiguities – Latent and Patent
 - d. Value Engineering
 - e. Differing Site Conditions
- C. The Definition of a Claim
- D. Delay Change Orders

02:30 p.m. – 02:45 p.m. - Break

02:45 p.m. – 04:00 p.m.

VI. Change Orders and Claims

- A. Different Types of Change Orders & Claims Part III
 - a. Acceleration Change Orders
 - b. Suspension and Stop Orders
 - c. Cardinal Changes
 - d. How to Prepare Winning Change Orders & Claims
 - e. How to Calculate Delay Costs
 - f. Loss of Profit Claims
 - g. Change in Character
 - h. Superior Knowledge
- B. How to Calculate Inefficiency Costs
- C. Litigation Process
- D. False Claims Act
- E. What Language Not to Sign on Change Orders
- F. Negotiation Tips

Appendix B:

Maximize your Cash Flow on Differing Site Condition Claims Agenda

08:00 a.m. – 08:30 a.m.

I. Overview

- A. Explanation of why Claims have escalated since 1979
- B. What will be covered in the seminar today

08:30 a.m. – 10:15 a.m.

II. Brief History of Differing Site Conditions Provisions in Contracts

- A. Effort by owners and contractors to shift liability
- B. How is the liability being shifted
- C. Basics of Differing Site Conditions
 - a. Type 1 & Type 2
- D. Hazardous Materials

10:15 a.m. – 10:30 a.m. - Break

10:30 a.m. – 11:15 a.m.

III. Where Does the Differing Site Conditions Apply?

- A. Underground Work
- B. Renovation Projects

Differing Site Conditions Contract Clause

- A. Case Studies No. 1 & 2
 - a. McArthur Park Excavation
 - b. Central Library Renovation
- B. What the courts have ruled

11:15 a.m. – 11:30 a.m.

IV. Differing Site Condition Clauses

- A. Intent of the Clause - Recognizes practical realities
- B. Notice Requirements
- C. Weather Exclusions
- D. Exculpatory clauses
- E. Estimated quantity clauses

11:30 a.m. – 12:30 p.m. - Lunch Break

12:30 p.m. – 02:30 p.m.

V. Differing Site Condition Clauses (Cont'd)

- A. How to Handle Classified Excavation
- B. Best practices for Owners & Contractors
- C. Adequate pre-bid site investigation
- D. Legal remedies if no Differing Site Conditions Clause

02:30 p.m. – 02:45 p.m. - Break

02:45 p.m. – 04:00 p.m.

VI. Construct and Defend DSC Claims

- A. How to Prepare a Winning DSC claim
 - a. Documentation Required
- B. Pricing and Proving a DSC claim
 - a. Using Measured Mile
- C. How does the Owner Defend a DSC Claim?
- D. Threshold of Materiality
- E. Reverse DSC – Owner's Best Friend
- F. Resolution using Partnering & Dispute Review Boards
- G. Case Studies No. 3 & 4
 - a. Los Angeles Horizontal Drilling for Highway Department
 - b. National Park in Nevada

Appendix C:

Increase your Cash Flow on Inefficiency Claims Agenda

08:00 a.m. – 08:30 a.m.

I. Overview

- A. Explanation of why Claims have escalated since 1979

08:30 a.m. – 10:15 a.m.

II. Change Orders and Claims

- A. Different Types of Change Orders & Claims
- B. Review of 5 Logs You Must Keep
- C. Cost Controls & Double Duty Documents
- D. Spearin Doctrine (Most Important Court Case)

10:15 a.m. – 10:30 a.m. - Break

10:30 a.m. – 11:15 a.m.

III. Change Orders and Claims

- A. Different Types of Change Orders

Inefficiency Claims

- A. Labor Productivity Definition
- B. Overtime Inefficiency
 - a. Spot Overtime
 - b. Shift Work

11:15 a.m. – 11:30 a.m.

IV. Inefficiency Claims (Cont'd)

- A. Overtime Inefficiency
 - a. What the courts have ruled
 - b. Actual Problem Solving

Effects of Change Orders on Productivity

- A. Construction Industry Institute Report
 - a. Construction Changes & Change Orders: their Magnitude and Impact
 - i.) Summary & Conclusions
 - ii.) What the courts have ruled

11:30 a.m. – 12:30 p.m. - Lunch Break

12:30 p.m. – 02:30 p.m.

V. Inefficiency Claims (Cont'd)

- A. **Calculating C/O Inefficiency Impacts**
 - a. NECA Job Factors
 - b. Cumulative Impact of Change Orders
 - c. How to Calculate the Measured Mile
 - d. How does the Owner Defend the Claim?
- B. What the courts have ruled
- C. Actual Problem Solving

02:30 p.m. – 02:45 p.m. - Break

02:45 p.m. – 04:00 p.m.

VI. Inefficiency Claims (Cont'd)

- A. Learning Curve Inefficiencies
- B. Cold & Hot Weather Inefficiencies
 - a. What the courts have ruled
- C. Acceleration due to Overcrowding & Trade Stacking
 - a. What the courts have ruled
- D. Case Studies
 - a. Los Angeles Subway
 - b. School Upgrade in San Diego

Appendix D:

Successful Cash Flow Resolutions to Delay Claims Agenda

08:00 a.m. – 08:30 a.m.

I. Overview

- A. Explanation of why Claims have escalated since 1979
- B. What will be covered in the seminar today

08:30 a.m. – 10:15 a.m.

II. DELAY CLAIMS

- A. What is a delay? Basic Definitions
- B. Define the Different Types of Delays
 - a. Acts of God
 - b. Concurrent
 - c. Consequential
 - d. Other Types
 - e. Compensable v. Non-Compensable
- C. What is Pacing in evaluating & presenting Delays?

10:15 a.m. – 10:30 a.m. - Break

10:30 a.m. – 11:15 a.m.

III. DELAY CLAIMS (Cont'd)

- A. Delay and Disruption Claims
- B. Acceleration Claims
- C. CPM Fragments – How are they used?
- C. Using CPM to evaluate delays
 - a. Methodology that the Courts accept

11:15 a.m. – 11:30 a.m.

IV. CONTRACT CLAUSES THAT RELATE TO DELAYS

- A. Time is of the Essence
- B. Notice Provisions
- C. Completion Date Provisions
- D. Contractor's Right to Finish early
- E. Which Schedules are used to evaluate delays?
 - a. Case Study No. 1 - Highway Department

11:30 a.m. – 12:30 p.m. - Lunch Break

12:30 p.m. – 02:30 p.m.

V. DELAY CLAIMS (Cont'd)

- A. Manipulation of CPM Schedules
- B. Who is Responsible for Delays – Interactive Segment
- C. How to Calculate Delay Costs
 - a. Extended Field Overhead
 - b. Extended Home Office Overhead
 - c. Costs for Escalation – Labor/Material/Equipment
- F. How to Write a Winning Claim Presentation

02:30 p.m. – 02:45 p.m. - Break

02:45 p.m. – 04:00 p.m.

VI. DELAY CLAIMS (Cont'd)

- A. Time Impact Analysis Checklist
- B. Landmark court cases (throughout the day)
- C. How does the Owner Defend a Delay Claim (throughout the day)
- D. Case Study No. 2
 - a. Multi-Prime – Sewage Treatment Plant
- E. Case Study No. 3
 - a. Federal Contract – Air Force Base

Appendix E:

Pricing & Negotiation Change Orders Like A Pro Agenda

08:00 a.m. – 08:30 a.m.

I. Overview

- A. Definitions of Change Orders & Claims
- B. How to Recognize Change Orders
- C. Do Not Sign this Change Order Language

08:30 a.m. – 10:15 a.m.

II. Documentation of the Change Orders

- A. Places to Look for Change Orders
- B. Types of Change Orders
- C. Putting the Parties on Notice
- D. Making the Rules Work for You
- E. Documentation – Protect Your Own Interest
- F. Cost Coding Made Easy

10:15 a.m. – 10:30 a.m. - Break

10:30 a.m. – 11:30 a.m.

III. Pricing the Change Orders Like a Pro

- A. Don't Fall for Time & Material Not-to-Exceed Trap
- B. Correct Follow-Up Procedures
- C. Components of a Change Order
- D. Cost Pricing Like a Pro
 - a. How to Overcome Unfair Mark-Ups
 - b. More Details – Not Less
 - c. How to Add in Indirect Costs
- E. Dwg & Spec Conflicts – Interactive Pricing (Case Study No. 1)
- F. Detail and Install Rebar (Case Study No. 2)

11:30 a.m. – 12:30 p.m. - Lunch Break

12:30 p.m. – 01:00 p.m.

IV. Learn to Calculate Delay Costs

- A. Extended Field Overhead Costs
- B. Extended Home Office Overhead Costs
- C. Escalation – Labor/Material/Equipment

01:00 p.m. – 01:30 p.m.

V. Negotiations Dos and Don'ts

- A. 12 Traits of a Great Negotiator

01:30 p.m. – 02:30 p.m.

VI. Learn to Calculate Disruption Costs

- A. Measuring Labor Productivity
- B. Excessive Change Order Inefficiency
- C. Measured Mile Inefficiency
 - a. Actual Problem Solving

02:30 p.m. – 02:45 p.m. - Break

02:45 p.m. – 04:00 p.m.

VII. Learn to Calculate Disruption Costs (Cont'd)

- A. Overtime Inefficiency
 - a. Weekly and Spot Overtime
 - b. Actual Problem Solving
 - c. Case Law
- B. Interactive Case Study No. 3
 - a. Piping Installation Changed Conditions
 - b. Class Evaluation of Negotiations

Appendix F:

Improve your Cash Flow on Delay & Disruption Claims Agenda

08:00 a.m. - 08:20 a.m.

I. Overview

- A. Explanation of why Claims have escalated since 1979
- B. What will be covered in the seminar?

08:20 a.m. - 10:15 a.m.

II. Change Orders & Claims

- A. Different Types of Change Orders & Claims
- B. Review of 5 Logs You Must Keep
- C. Difference between Change Orders & Claims
- D. Spearin Doctrine (Most Important Court Case)
- E. What Change Order Language you Should Not Sign

III. Delay Claims

- A. What is a delay? Basic Definitions
- B. Defining the Different Types of Delays
- C. Compensable v. Non-Compensable Delays
- D. What is Pacing in Evaluating & Presenting Delays?
- E. Time is of the Essence Clause - Why is it so dangerous?
- F. Types of Schedules used to Prove Delays
- G. Who is Responsible for What Delay (Interactive Segment)

10:15 a.m. - 10:30 a.m. Break

10:30 a.m. - 11:00 a.m. Delay Claims (Cont'd)

- A. How to Calculate Delay Costs
 - a. Extended Field Overhead
 - b. Extended Home Office Overhead
 - c. Costs for Escalation - Labor/Material/Equipment

11:00 a.m. - 11:30 a.m.

IV. Disruption Claims

- A. Labor Productivity Definition
- B. Cost Coding & Cost Controls Made Easy
- C. Calculate Overtime Inefficiency Costs

11:30 a.m. - 12:30 p.m. Lunch Break

12:30 p.m. - 02:30 p.m. Disruption Claims (Cont'd)

V. Calculating Change Order Impacts

- A. NECA Job Factors
- B. Calculate Cumulative Impact of Change Orders
- C. How to Calculate the Measured Mile Cost
- D. How does the Owner Defend the Claim?

02:30 p.m. - 02:45 p.m. Break

02:45 p.m. - 04:00 p.m. Disruption Claims (Cont'd)

- A. Learning Curve Inefficiencies
- B. Cold & Hot Weather Inefficiencies
- C. Acceleration due to Overcrowding & Trade Stacking
- D. Actual Problems Solving
- E. What the courts have ruled?
- F. Case Studies
 - a. Los Angeles Subway
 - b. School Upgrade in San Diego

Appendix G:

SUCCESSFUL CASH FLOW RESOLUTIONS TO INEFFICIENCY & DIFFERING SITE CONDITIONS CLAIMS AGENDA

08:00 a.m. – 10:15 a.m.

Overview

II. Brief History of Differing Site Condition Provisions in Contracts

- E. Effort by owners and contractors to shift liability
- F. Basics of Differing Site Conditions
 - a. Type 1
 - b. Type 2
- C. Basis for Recovery

III. Bold Approach in Managing DSC

- C. Should the Contract have a DSC Clause

IV. Differing Site Condition Clauses

- F. Intent of the Clause - Recognizes practical realities
- G. Notice Requirements
- H. Exculpatory clauses
- I. Legal remedies if no Differing Site Condition Clause
- J. Adequate pre-bid site investigation

V. DSC Claims

- H. How to Write a Winning DSC claim
- I. Pricing and Proving a DSC claim

10:15 a.m. – 10:30 a.m. - Break

10:30 a.m. – 11:30 a.m.

V. DSC Claims (Cont'd)

- J. Threshold of Materiality
- D. Reverse DSC – Owner's Best Friend
- E. Case Study – National Park in Nevada

11:30 a.m. - 12:30 p.m. Lunch Break

12:30 p.m. - 02:30 p.m. Inefficiency Claims

VI. Inefficiency Claims

- D. Labor Productivity Definition
- E. Cost Coding & Cost Controls Made Easy
- F. Calculate Overtime & Shift Work Inefficiency Costs

VII. Calculating Change Order Impacts

- E. MCCA Study / NECA Job Factors
- F. Calculate Cumulative Impact of Change Orders
- G. How to Calculate the Measured Mile Cost
- H. How does the Owner Defend the Claim?

02:30 p.m. - 02:45 p.m. Break

02:45 p.m. - 04:00 p.m. Inefficiency Claims (Cont'd)

- G. Learning Curve Inefficiencies
- H. Cold & Hot Weather Inefficiencies
- I. Acceleration due to Overcrowding & Trade Stacking
- J. Actual Problems Solving
- K. What the courts have ruled?
- L. Case Studies
 - a. Los Angeles Subway
 - b. School Upgrade in San Diego

Appendix H:

PROVING AND PRICING SUBCONTRACTOR CHANGE ORDERS

07:30 a.m. - 08:00 a.m. Registration

08:00 a.m. - 10:00 a.m.

WHAT SUBCONTRACTORS MUST DO IN THE BEGINNING

I. BID PROPOSAL

- Review the GC's Contract with the Owner
- The Type of Contract that you want to use – Such as ConsensusDoc
- Mutually agreeable schedule
- Inclusions and Exclusions

II. PROFITABLE PRE-CONSTRUCTION PLANNING

- Importance of Schedules – Baseline and Updates
- Must Notifications – Without it Change Orders are very hard to get
- 5 Logs you Must Keep
- Submittals – Substitutions & Approved Equals - Case Study

10:00 a.m. - 10:15 a.m. – BREAK

II. PROFITABLE PRE-CONSTRUCTION PLANNING (Cont'd)

- Winning RFI System
- Daily Reports that Make you Money

10:15 a.m. - 11:30 a.m.

WIN REASONS FOR CHANGE ORDER APPROVAL EVERYTIME

III. DEFECTIVE DOCUMENTS – SPEARIN DOCTRINE

IV. CONFLICTS / OMISSIONS - Order of Precedence of Documents - Case Study

- Most Stringent Requirements

V. AMBIGUITIES - Latent and Patent

11:30 a.m. - 12:15 p.m. LUNCH

12:15 p.m. - 01:45 p.m.

HOW TO PROFIT FROM DELAYS

VI. WHAT IS A DELAY? BASIC DEFINITIONS

- Defining the Different Types of Delays
- Compensable v. Non-Compensable Delays
- Types of Schedules used to Prove Delays
- Who is Responsible for What Delay (Interactive Segment)

VII. HOW TO CALCULATE & RECOVER DELAY COSTS

- Extended Field Overhead
- Extended Home Office Overhead
- Escalation - Labor/Material/Equipment

01:45 a.m. - 02:00 p.m. - BREAK

02:00 p.m. - 04:00 p.m.

HOW TO PROFIT FROM INEFFICIENCIES

VIII. LABOR PRODUCTIVITY DEFINITION

- Cost Coding & Cost Controls Made Easy
- Measured Mile Inefficiency Calculations

IX. HOW TO CALCULATE & RECOVER INEFFICIENCY COSTS

- Calculate Overtime Inefficiency Costs
- Calculate Cumulative Impact of Change Orders
- Acceleration due to Overcrowding & Trade Stacking

CASE STUDY [Doubletree Hotel Acceleration]

APPENDIX I

Improve Cash Flow with Documentation/ Change Orders/ Delays/ Inefficiencies

08:00 a.m. - 09:45 a.m.

DOCUMENTATION THAT MAKES THE COMPANY MONEY (DAILY REPORTS)

I. Communications Overview

- Construction Projects Are Built on Communication
- What is Communication?
- Why Good Communications = Project Success

II. DAILY REPORTS THAT MAKE YOUR COMPANY MONEY

- Why do we prepare them? How to prepare them well?
- Why are the most important pieces of documentation?
- What's in it for me? / What's in it for my company?
- DO's and DON'T's
- How do the Daily Reports Make the Company Money?

10:00 a.m. - 11:45 a.m.

CHANGE ORDERS / CLAIMS

HOW TO WIN CONFLICTS/OMISSIONS/ DEFECTIVE DOCS/ AMBIGUITIES EVERYTIME

I. Defective Documents – Spearin Doctrine

II. Conflicts / Omissions

- Order of Precedence
- Case Study
- Most Stringent

III. Ambiguities

- Latent
- Patent

12:00 p.m. - 01:45 p.m.

LEARN TO CALCULATE DELAY CLAIM COSTS

I. What is a delay? Basic Definitions

- Defining the Different Types of Delays
- Compensable v. Non-Compensable Delays
- Types of Schedules used to Prove Delays
- Who is Responsible for What Delay (Interactive Segment)

II. How to Calculate Delay Costs

- Extended Field Overhead
- Extended Home Office Overhead
- Escalation - Labor/Material/Equipment

02:00 p.m. - 04:00 p.m.

LEARN TO CALCULATE INEFFICIENCY CLAIM COSTS

I. Labor Productivity Definition

- Cost Coding & Cost Controls Made Easy
- Calculate Overtime Inefficiency Costs

II. Calculating Change Order Inefficiency Costs

- Calculate Cumulative Impact of Change Orders
- How to Calculate the Measured Mile Cost
- Learning Curve Inefficiencies
- Cold & Hot Weather Inefficiencies
- Acceleration due to Overcrowding & Trade Stacking