

# Successful Cash Flow Resolutions to Inefficiency & Differing Site Conditions Claims

Presented by the SDC Institute

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**HIGHLY RECOMMENDED FOR EXCAVATION AND RENOVATION CONTRACTORS**  
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**Instructor: Anwar Hafeez** is a nationally recognized and respected Civil Engineer and construction industry consultant who has personally supervised over \$1.4 billion in major construction projects. Mr. Hafeez has also successfully negotiated and settled over \$350 million in construction claims and change orders for SDC clients nationwide. His most notable projects include the San Diego Convention Center, Los Angeles Central Library, Los Angeles International Airport Expansion and Washington DC Subway System. To learn more about Mr. Hafeez please visit [www.sdcassociates.com](http://www.sdcassociates.com).

### THIS SEMINAR TEACHES...

- Recovery: Type 1 VS Type 2
- Site Investigation Clauses
- DSC Policies That Work
- Exculpatory Clauses That Do Not Work
- When Is the "Spearin Doctrine" the Basis for DSC Recovery
- Learn to Prepare a DSC Claim
- Reverse DSC
- How to Calculate and Defend Inefficiency Costs Due to:  
***Overtime: Shift Work, Trade Stacking: Over Manning, Hot and Cold Weather, Out of Sequence Cumulative Change Orders***
- How to Calculate the Measured Mile Method
- Actual Cost Calculated / Insider Tips
- Case Studies / Relevant Court Case



**\$100  
Early Bird  
Savings**

**Send 3 People  
and the 4th  
Person is Free**

### **SEMINAR TIME:**

8:00 am to 4:00 pm  
 7:30 am Registration  
 (Includes Lunch & Course Book)

### **DATES & LOCATIONS:**

**Wednesday, January 18, 2017**  
**Sacramento, CA**  
 Courtyard by Marriott Sacramento-Midtown  
 4422 Y Street  
 Sacramento, CA 95817

**Thursday, January 19, 2017**  
**Burlingame, CA**  
 Doubletree by Hilton San Francisco Airport  
 835 Airport Blvd.  
 Burlingame, CA 94010

**Friday, January 20, 2017**  
**Santa Clara, CA**  
 Embassy Suites Santa Clara-Silicon Valley  
 2885 Lakeside Dr.  
 Santa Clara, CA 95054

**FEE FOR THIS SEMINAR IS \$399**  
**Early Bird Special \$299 if registered by 1/9/17**

### **Register by Mail, Fax, Phone or Internet**

Name: _____	Please List All Seminar Attendees: _____
Company: _____	_____
Address: _____	_____
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Email: _____	Method of Payment:
Phone: _____	<input type="checkbox"/> Check <i>Please Make Checks Payable to SDC &amp; Associates Inc.</i>
Fax: _____	<input type="checkbox"/> American Express <input type="checkbox"/> Visa <input type="checkbox"/> MasterCard
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Sacramento  Burlingame  Santa Clara Exp. Date: \_\_\_\_\_ Total: \_\_\_\_\_

Please list which Association you belong to: \_\_\_\_\_  
 Can't Attend? Buy a Course Book for \$125. Or, Buy the Entire Webinar on Thumb Drive for \$249.

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

**07:30 a.m. - 08:00 a.m. Registration and Coffee**

**08:00 a.m. – 10:15 a.m.**

**Overview**

**II. Brief History of Differing Site Condition Provisions in Contracts**

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

**III. Bold Approach in Managing DSC**

- A. Should the Contract have a DSC Clause

**IV. Differing Site Condition Clauses**

- A. Intent of the Clause - Recognizes practical realities
- B. Notice Requirements
- C. Exculpatory clauses
- D. Legal remedies if no Differing Site Condition Clause
- E. Adequate pre-bid site investigation

**V. DSC Claims**

- A. How to Write a Winning DSC claim
- B. 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)**

- C. 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**

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

**VII. Calculating Change Order Impacts**

- A. MCCA Study / 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. Inefficiency 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