



## Forensic Planning Services

Programme Audits

Contractual Advice

Delay & Disruption Analysis

Claims Management

Document Analysis

Claims Presentation

Resource Analysis

Training

The majority of claims that arise on Construction and Engineering projects are due to varied works or unforeseen changes. These cause delay and disruption to project progress and require additional resources to complete. The accurate analysis of employer and contractor events and their effects on the agreed programme is required to effectively resolve disputes between parties. Critical Path provide a range of forensic services which determine the potential entitlement to damages, costs and extensions of time.

### What is Forensic Planning?

Forensic planning consists of an independent review of planned vs. actual project progress and the analysis and quantification of delay, disruption and prolongation in the context of specific contractual requirements. Forensic planning is frequently used to substantiate legal pleadings and must therefore be undertaken with rigour, independence and diligence.

### The Need

Forensic planning is normally required when a dispute has arisen on a project. Historically claims were made globally which simply identified the increase in actual costs incurred in comparison to those planned. However the courts now require a more sophisticated analysis to substantiate claims for time and cost.

### The Forensic Process

Through rigorous research of the facts and detailed analysis of change events, Critical Path Forensic Planning Services produce meticulously evidenced and contractually compliant claims submissions which clearly identify cause and effect. A variety of research and information management procedures are used to retrospectively assemble evidence of how, why and when events took place. A variety of analytical and modelling techniques are then used to demonstrate their effect on the programme (such as critical or non-critical delay, disruption and prolongation to specific activities) and to calculate entitlement to Extensions of Time under the Contract. Detailed Resource Analysis is also undertaken to quantify the loss and expense incurred due to delays, changes and variations.

## Approach

Critical Path use the most appropriate and cost effective methods of analysis to suit the particular claim. We seek to produce the analysis and reports as expeditiously as possible, using a range of time saving procedures and technologies. We provide an initial risk assessment of the claim along with timescales and resource requirements. Client resources are utilised where available to minimise costs and training is provided as required. Guidance on specific Project Planning & Control procedures to help complete any remaining works can also be provided. Please see our Planning & Control Services for details.



## SERVICES

### Programme Auditing

To ensure the accuracy of tender, master or update programmes and their suitability for claims analysis.

### Delay & Disruption Analysis

Modelling the effect of project delay events and the likely impact on the programme and completion date's taking account of concurrency and float. This can be undertaken during the course of the works (Contemporaneous Delay Analysis) or after the works are complete (Retrospective Delay Analysis). Critical Path use all robust methods of delay and disruption analysis including Time Impact, Windows, Collapsed As-Built, As Built Critical Path, Time Location Studies and Productivity Impact Assessments.

### Document Analysis

The assessment of project records such as progress reports, payment certificates and other correspondence to help substantiate the start, finish, cause & effect and the financial implications of change events.

### Resource Analysis

The sophistication of current programming software enables project resources such as labour, plant and materials to be included in the forensic analysis. This enables the costs associated with delayed works to be quantified. Using techniques such as Productivity Analysis, costs associated with disrupted works can also be accurately determined.

### Contractual Advice

Critical Path has extensive experience in all main international forms of contract such as FIDIC as well as in a variety of bespoke and modified contract forms. This experience can help provide and substantiate the contractual arguments required to present or rebut a claim.

### Claims Management

A dispute avoidance mechanism which records the details of change events (cause/ effect/ liability/ evidence) as they occur throughout the project. When effectively implemented this enables disputes to be more quickly resolved, before they escalate into legal proceedings, due to the immediate availability of records which provide unequivocal evidence. If coupled with a 'Change Management' procedure on live projects, the need for detailed retrospective delay analysis can be avoided.

### Claims Presentation

We produce claims reports with the assessor in mind, which clearly illustrate cause and effect and avoid lengthy rhetoric. We present the results of the forensic analysis on behalf of clients at dispute boards and hearings using a range of techniques and technologies to communicate findings and conclusions.

### Training

Critical Path provide tailored training programmes to enable the development of the client skills required to undertake more aspects of the claims process internally and using existing resource.



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