



26-29 NOVEMBER 2018
Dubai World Trade Center
11:00 - 19:00 Daily



Am I Doing It Right? How to Properly Prepare and Submit Your Claims

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The Common Pitfalls for Parties Submitting Claims in the UAE



- There is no single formula or approach
- The first step is for the contractor to review his contract and form an understanding of what his rights and obligations are.
 - "*Law of the parties*"
 - This is not easy!
- Document Management, Evidence!



The Common Pitfalls for Parties Submitting Claims in the UAE



- Claims are not unusual – natural result of the industry
 - The issue is how they are reviewed and managed
- In order to succeed:
 - Know your contract clauses and what they mean
 - Claims require written notices
 - Claims require records





Properly Preparing Variation Claims

- Assume a judge, arbitrator or expert is looking at your variation claim
- Is it a variation?
 - What are the reasons under the Contract?
 - What are the technical reasons?
 - Has an instruction been issued?
- How much is it going to cost?
- How long will the work take?



Properly Preparing Variation Claims



- Obtain approval prior to undertaking the variation!
- If client refuses to issue approval, check the contract obligations.
- Just because you have done the work, doesn't mean you will always be paid for it.
- Keep written records of all meetings and discussions with the client.



Properly Preparing EOT Claims



- Assume a judge, arbitrator or expert is looking at your EOT claim.
- Prepare a detailed claim detailing the reason for the extension, including evidence.
- What does your contract require?
 - What is the time limit for issuing Notice?
 - What is the contractual Time for Completion?
 - Who needs to update the Programme?
 - Who's risk for delay?
 - Type of analysis?



Properly Preparing EOT Claims



- Properly comply with the contract in relation to determinations and disputes.
- Do not ignore your own obligations under the contract.
- What does the contract say regarding suspension?



How to Prepare my Evidence



- All claims require evidence.
- Where are your records?
- How detailed are your records?
- Keep your records organized and easily accessible.
- Variation and EOT claims routinely fail without evidence (e.g. disruption)



Questions?



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