

## Documents Needed for Claims Analysis

### INITIAL CLAIMS ANALYSIS – PREPARING FOR NEGOTIATION

1. Your Contract, including General Conditions and Special Conditions
2. Written Notices all parties have given to each other on this issue
3. Letters, memos and emails exchanged about this issue
4. Related Change Orders and Change Order Requests
5. Related Requests for Information (RFI)
6. Daily Reports mentioning this issue
7. Special Incident reports, if you have them
8. Meeting Minutes (official project) that mention this issue
9. CPM Schedules (if this is delay related)
  - a. Baseline schedule
  - b. Current (or final) as-built schedule
  - c. If you do not have these, we should talk
10. Photographs relevant to the issue
  - a. Should be dated and indicate location
11. Cost Code reports (if loss of productivity is part of the claim)
  - a. If you do not have these, let's see what you do have:
    - i. Bid estimates
    - ii. Certified payrolls
    - iii. Labor reports
    - iv. Daily reports of labor and activities
12. Project Manager's or Superintendent's brief project and issue history (factual story form)
  - a. Include major events and relevant minor incidents
  - b. Describe the claim you envision (or have filed), including elements of the claim you anticipate: delay, disruption, acceleration, inefficiency, suspensions and stop-work orders, added or diluted supervision
  - c. Be factual, include dates, names, if possible cross reference to actual documents which can be looked at while reviewing the narrative (NOTE: to the degree you do not do this, the consultant will likely have to do this.)

**DOCUMENTS NEEDED FOR CLAIMS ANALYSIS**

**COMPLETE CLAIMS ANALYSIS – IF THIS CANNOT BE NEGOTIATED**

**1. Contract documents**

- a. Prime Contract (Owner – GC)
  - i. All **Amendments**
  - ii. All **Change Orders and Change Order Requests**
    - 1. Copy of approved change orders
      - a. Include breakdown of labor, material, equipment
    - 2. Copy of unapproved change order requests & current status
      - a. Include breakdown of labor, material, equipment
      - b. Include all correspondence exchange regarding each denied or pending change order
- b. Relevant subcontracts
- c. Specifications including
  - i. General Conditions
  - ii. Special Conditions
- d. Contract drawings including
  - i. Addenda
  - ii. Architect's Clarifications or Bulletins
  - iii. Sketches

**2. Bid documents**

- a. Bid work papers (if relevant to this issue)

**3. Submittals and shop drawings related to this issue**

**4. RFIs and responses**

- a. Include the total number of RFIs on the project, number related to this issue, number involving your organization only (for subcontractors)
- b. Include number of labor hours expended for contract work vs. change work
  - i. Your organization
  - ii. All organizations performing work on the project (if relevant)

**5. CPM Schedules (electronic or printed in color)**

- a. Original approved baseline CPM
- b. All updates, especially the most recent update
  - i. Include narratives or explanations attached to the updates
- c. Any 2-week or 3-week look-ahead bar charts
- d. Any recovery schedules, acceleration schedules

**6. Project logs**

- a. Submittal log
- b. RFI log

**DOCUMENTS NEEDED FOR CLAIMS ANALYSIS**

- c. Change order log
- d. Backcharge log
- e. Correspondence log
- f. Phone logs
- g. Email logs (if any)

**7. Access to any electronic or internet project management systems, for example:**

- a. Prolog
- b. Expedition
- c. Constructware

**8. Meeting minutes, including**

- a. Meetings between GC, Owner, Designer
- b. Meetings with subcontractors
- c. "Special topic" meetings including:
  - i. Scheduling meetings
  - ii. RFI meetings

**9. All relevant correspondence between the parties, including**

- a. Letters between GC and owner
- b. Letters between GC and subs

**10. Daily reports** and diaries

- a. GC's superintendent's daily reports
- b. Subcontractors' daily reports
- c. Inspector's or QC daily reports

**11. Photographs, video tapes** and other visual media related to this issue (if none exist, begin documenting them now)

**12. Internal memoranda**

- a. Internal memoranda (within your organization)
- b. Notes of verbal conversations
- c. Memos to file
- d. Memos of phone conversations

**13. Cost Code** and budget reports

- a. Weekly
- b. Monthly

**14. Possibly:** relevant daily time sheets

- a. Include identification of hours spent on acceleration or disruption and delay

**15. Lists of and receipts for equipment used** (if relevant to the issue)

- a. Owned
- b. Rented
- c. Identify escalation related to this issue

**16. Lists of and receipts or invoices for additional or substituted materials** (if relevant to this issue)

- a. Include any quantity calculations or take-offs
- b. Identify escalation related to this issue

**17. Schedules or lists of labor trades utilized** (as relevant to this issue)

**DOCUMENTS NEEDED FOR CLAIMS ANALYSIS**

- a. Indicate entity supplying each labor trade (GC or sub)
  - b. Include breakdown of base rates, benefits, taxes, workers comp, insurance, union benefits, etc.
  - c. Identify escalation related to this issue
18. Existing or previous claims or requests for equitable adjustment (REA)
19. **Project Manager's brief project and issue history** (factual story form)
- a. Include major events and relevant minor incidents
  - b. Describe the claim you envision (or have filed), including elements of the claim you anticipate: delay, disruption, acceleration, inefficiency, suspensions and stop-work orders, added or diluted supervision
  - c. Be factual, include dates, names, if possible cross reference to actual documents which can be looked at while reviewing the narrative (NOTE: to the degree you do not do this, the consultant will likely have to do this.)
20. Bonds required and bond costs, as relevant
21. If claiming extended overhead, provide:
- a. Actual field costs during the extended period (include accounting printouts, invoices, receipts, etc.), including:
    - i. Supervision above general foreman
    - ii. Project manager costs (if your accountant costs these to the project, otherwise they are part of home office overhead)
    - iii. Trailer rents (office and storage)
    - iv. Temporary power to trailers
    - v. Janitorial and other services to trailers
    - vi. Additional costs of office equipment and supplies
    - vii. Extended safety and fencing costs
    - viii. Additional layout expense (beyond that in the bid)
  - b. Audited financial reports for your organization showing total revenues, revenues for this project, G&A (general and administrative expenses) for all years during which this project is/was open
22. Any other documents you feel might be useful in understanding and preparing the analysis or claim