

Construction Contract Claim **Services**

VERTEX is a premier construction claims firm serving contractors, owners, sureties and insurance carriers on all types of projects from infrastructure to vertical construction. Our goal is to assist our clients in the preparation and resolution of construction claims, including:

Delay Claims

VERTEX scheduling and claims professionals assist clients in the following ways:

- Identifying the nature of the claim (e.g., change order, differing site conditions, design deficiencies, etc.)
- Establishing entitlement and quantifying the delay through a complete forensic schedule analysis using the appropriate industry recognized methodology
- Evaluating and quantifying the various damage components associated with any critical delay
- Selecting the appropriate methodology to quantify the damages based on the available project cost data
- Preparing expert reports, assisting with developing direct and cross-examination questions, preparing exhibits, and providing expert testimony.

Productivity Claims

VERTEX claims professionals evaluate and calculate productivity losses and inefficiency claims resulting from a variety of factors including:

- Acceleration
- Severe weather
- Trade stacking
- Improper sequencing
- Schedule compression
- Excessive overtime

We approach claims from all aspects:

- Identifying causes of productivity losses
- Establishing if the causes were unforeseeable and outside the claimant's control
- Linking cause and effect
- Calculating the losses

VERTEX's claims professionals understand the difficulty in calculating such losses and the importance of first establishing a reasonable productivity baseline. We tailor our productivity analysis methodology from project-to-project based on facts, the nature of the events analyzed, and available labor data.

Differing Site Condition Claims

VERTEX claims professionals are experienced in evaluating and preparing differing conditions claims, which fall into two categories:

- **Type I Claims** exist when the actual site conditions are materially different than the conditions identified in the contract documents. To evaluate such claims, VERTEX will assess whether the contractor could reasonably foresee the actual conditions based on information available at the time of bid. VERTEX will also determine whether the claimed additional costs are a direct result of the differing site condition.
- **Type II Claims** exist when the actual conditions are materially different than the conditions which would be reasonably expected. For these claims, VERTEX, through its experts, will determine whether the actual site condition differed from the typical condition in similar work and location and whether the contractor was not aware of the actual site condition.



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