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Quantity Surveying

Cost Management

Cost Planning

Change Management

Estimating

Procurement

Dispute resolution

Audit

Project and Programme Controls

Planning

Building information modelling - BIM

Other services

Ivan and his team have accrued considerable experience over the years and can clearly demonstrate competency and capability in all of the above areas of our service offering.

We would be happy to discuss with you how we can assist you within any or all of the above areas.

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Competency Statement – Dispute resolution

Preparation of claims

Capabilities

Quantity Surveying

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Other services



Achieving excellence

Bespoke dispute resolution for you

Connecting your requirements to the solutions you need



Ivan has a particular aptitude for working with dispute resolution. His logical mind fits well with the structured approach of dispute resolution. Ivan also has an enhanced lateral thinking tendency.

During Ivan's career he has taken a number of work related psychometric tests. According to Belbin Team roles, Ivan is equally strong as a 'Plant' and a 'Completer Finisher'. This is a good combination for dispute resolution.

The 'Completer Finisher' element favours data collation and analysis. The 'Completer Finisher' has a strong inward sense of the need for accuracy, and sets his own high standards rather than working on the encouragement of others. Conversely, Plants are creative, unorthodox and generators of ideas. Given a problem, they are innovative solution providers, able to see a strategy or negotiate a deal.

Dispute resolution

- Contract interpretation
- Preparation of dispute or claims strategy
- Preparation of Claims
- Review and defence of Claims
- Evaluation of Claims and Extension of Time requests
- Negotiation and agreement of disputes

Experience

Ivan has been involved in dispute resolution since before Microsoft devised 'Windows'. In the early eighties Ivan worked on claim preparation on the Ipswich bypasses. Following the success of the Ipswich jobs Ivan was the Claims Surveyor for the £34.8m (c £80m 2012) nine-mile (14 km) Chelmsford bypass which opened in November 1986. In 1990, the company received a welcome Christmas present, a £400m on account claims payment. Working for a company so experienced in claims has given Ivan a through grounding in preparation and strategy for successful and lucrative claims. Since then Ivan has periodically been involved in claims of various sorts.



Approach

An essential part of Ivan's approach to the preparation of a claim is to establish the facts first. Once the facts have been ascertained, as fully as possible, an assessment can be made of cause and effect. If the cause is the result of another party's action or inaction, reference has to be made to the appropriate Conditions of Contract, either with the client, the supply chain, or both.

Reference to the Conditions of Contract provides the vehicle upon which to pursue the claim, and information about what can be included within the evaluation. For instance, some clauses pay profit and others no not.

The evaluation comes next. There are many techniques available to evaluate the value of a claim, and the one adopted should be appropriate for the circumstances, the type of claim and the quality of the contemporaneous records.

Finally, the claim should be drafted with as much care and attention to detail, as it would be if it was going to be used in a Court of Law.

flexible solutions for your business needs

Another example of Ivan's development of claims

Claims preparation to improve your bottom line

Examples

One of Ivan's early specialties was Earthworks, both the measurement of, and the preparation of claims.

In one instance Ivan used primary output and cycle information, including the 'Caterpillar Handbook', to establish the sufficiency of the tender in respect of Earthworks. This was compared to the actual output and cycle times achieved on site. A comprehensive Cause and Effect Diagram known as a Fishbone or Herringbone Diagram was created to establish the basis of claim and to provide evidence of the interrelationships, to allow a global approach. A database of all of the relevant records was created, including all earthwork plant on site. The evaluation was based on all of the information, discounted for those items not affected by the claim. This method demonstrates that the claim is not being disproportionately loaded. An on account payment was made shortly after the provision of the record database to the Resident Engineer. Discussions were held about the validity of the approach adopted. Once accepted, final evaluation and agreement were forthcoming. A satisfactory outcome was obtained.

Another claim involved piling in a disused dockyard. Bored piling was being utilized as envisaged by both the tender and the design. However, an excessive number of obstructions were encountered. Anticipating the client's defence as being, that as it was an old dockyard, the obstructions should have been foreseen by a competent contractor, Ivan researched the history of the particular part of the docks.

The research indicated that that particular part of the docks was in fact relatively new and only had one level of development over previously non industrialized marsh. In this circumstance it was not reasonable to assume that the contractor could have anticipated the types of obstruction found at the depths in the bore that they were. Accordingly, the claim was accepted. The evaluation was simple, as there were pre-agreed rates for such occurrences within the Bill of Quantities.

Just a couple of examples from many.

Poacher turned gamekeeper