

**RECORD KEEPING FOR:
(1) JCT - VARIATIONS AND CLAIMS FOR
EXTENSIONS OF TIME, LOSS AND EXPENSE
AND DAMAGES
(2) NEC - COMPENSATION EVENTS**

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SOCIETY OF CONSTRUCTION LAW DELAY AND DISRUPTION PROTOCOL (2ND EDITION, FEBRUARY 2017)

- ◆ 4. Do not 'wait and see' regarding impact of delay events (contemporaneous analysis)
 - The parties should attempt so far as possible to deal with the time impact of Employer Risk Events as the work proceeds (both in terms of EOT and compensation).

- ◆ 19. Valuation of variations
 - Where practicable, the total likely effect of variations should be pre-agreed between the Employer/CA and the Contractor to arrive at, if possible, a fixed price of a variation, to include not only the direct costs (labour, plant and materials) but also the time-related and disruption costs, an agreed EOT and the necessary revisions to the programme.

SOCIETY OF CONSTRUCTION LAW DELAY AND DISRUPTION PROTOCOL (2ND EDITION, FEBRUARY 2017)

- ◆ 17. Global Claims

If the Contractor has made and maintained accurate and complete records proportionate to the project, in most cases the Contractor should be able to **establish the causal link between the Employer Risk Event and the resultant costs and/or loss**, without the need to make a global claim. The failure to maintain such records is unlikely to justify the Contractor in making a global claim. The Protocol's guidance as to the keeping of records is set out in the guidance to Core Principle 1 in Part B.

SOCIETY OF CONSTRUCTION LAW DELAY AND DISRUPTION PROTOCOL (2ND EDITION, FEBRUARY 2017)

- ◆ 18. Disruption Claims

The starting point of a disruption analysis is a review of productivity in carrying out the works over time in order to determine when lower productivity was achieved and what work activities were impacted. The analysis should then continue with development of an understanding of what works were carried out, when the works were carried out and what resources were used, followed by a review of the financial loss incurred. Maintaining accurate project records is therefore equally as important for a disruption analysis as it is for a delay analysis.

SOCIETY OF CONSTRUCTION LAW DELAY AND DISRUPTION PROTOCOL (2ND EDITION, FEBRUARY 2017)

- ◆ Guidance Part B: Guidance on Core Principles
 - 1. Programme and records
 - 1.4 There is often a **lack of good record keeping** and a **lack of uniformity** of approach to record keeping as relevant to management of progress of the works and delay and disruption claims.
 - 1.7 Records relevant to progress and delay and disruption events **must be generated contemporaneously** as the works progress, and not afterwards.

JCT 2016 STANDARD BUILDING CONTRACT WITH QUANTITIES (“JCT”)

Clause 5.6.3 provides *inter alia*:

- In any valuation of work under clauses 5.6.1 and 5.6.2:
 - ◆ allowance, where appropriate, shall be made for any addition to or reduction of **preliminary items of the type referred to in the Measurement Rules***, provided that no such allowance shall be made in respect of compliance with an Architect’s/Contract Administrator’s instruction for the expenditure of a Provisional Sum for defined work.

*The RICS New Rules of Measurement - Detailed Measurement for Building Works (NRM2)

RICS NEW RULES OF MEASUREMENT, NRM2: DETAILED MEASUREMENT FOR BUILDING WORKS

1. PRELIMINARIES (MAIN CONTRACT) 1.2 Main Contractor's cost items 1.2.1 Management and staff

Component	Included	Unit	Pricing method	Excluded
1 Project-specific management and staff	Main contractor's project specific management and staff such as: 1 Project manager/director.	Week (number of staff by number of man hours per week by number of weeks)	Time-Related charge	1 Security staff (included in section 1.2.4: Security).
	2 Construction manager.			
	3 Supervisors, including works/trade package managers, building services engineering managers/co-ordinators and off-site production managers.			
	4 Health and safety manager/officers. ... etc			
2 Visiting management and staff	1 Managing director, regional director, operations director, commercial director and the like.			1 Visiting management and staff for which an allowance has been made within the main contractor's overheads
	2 Quality manager			
	3 Contracts/Commercial manager. ... etc			
3 Extraordinary support costs	1 Legal advice costs (i.e, solicitors).	item	Fixed Charge	1 Extraordinary support costs for which an allowance has been made within the main contractor's overheads
	2 Recruitment costs.			
	3 Team building costs.			
	4 Other extraordinary support costs			
	5 Day transport.	Week (number of staff by number of man hours per week by number of weeks)	Time-Related charge	
	6 Personnel transport (i.e. transportation or work operatives to site).			
	7 Temporary living accommodation (e.g. long/medium term accommodation costs). ... etc			
4 Staff Travel	Costs associated with off-site visits such as: 1 Visits to employer's and consultants' offices etc...	Nr (number of occasions)	Fixed charge	

RICS NEW RULES OF MEASUREMENT, NRM2: DETAILED MEASUREMENT FOR BUILDING WORKS

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1 Project-specific management and staff	Main contractor's project specific management and staff such as:	Week (number of staff by number of man hours per week by number of weeks)	Time-Related charge	1 Security staff (included in section 1.2.4: Security).
	1 Project manager/director.			
	2 Construction manager.			
2 Visiting management and staff	3 Supervisors, including works/trade package managers, building services managers, off-site production managers.	Week (number of staff by number of man hours per week by number of weeks)	Time-Related charge	1 Visiting management and staff for which an allowance has been made within the main contractor's overheads
	4 Operations director, commercial			
	... etc			
3 Extraordinary support costs	1 Legal advice costs (i.e, solicitors).	item	Fixed Charge	1 Extraordinary support costs for which an allowance has been made within the main contractor's overheads
	2 Recruitment costs.			
	3 Team building costs.			
	4 Other extraordinary support costs			
	5 Day transport.	Week (number of staff by number of man hours per week by number of weeks)	Time-Related charge	
	6 Personnel transport (i.e. transportation or work operatives to site).			
	7 Temporary living accommodation (e.g. long/medium term accommodation costs).			
... etc				
4 Staff Travel	Costs associated with off-site visits such as: 1 Visits to employer's and consultants' offices etc...	Nr (number of occasions)	Fixed charge	

1 Project-specific management and staff

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1 Project-specific management and staff	Main contractor's project specific management and staff such as:	Week (number of staff by number of man hours per week by number of weeks)	Time-Related charge	1 Security staff (included in section 1.2.4: Security).
	1 Project manager/director.			
	2 Construction manager.			
	3 Supervisors, including works/trade package managers, building services engineering managers/co-ordinators and off-site production			
	4 Health and safety manager/officers. ... etc			
2 Visiting management and staff	1 Managing director, regional director, operations director and the like.			1 Visiting management and staff for which an allowance has been made within the main contractor's overheads
	2 Quality manager			
	3 Contracts/Commercial manager. ... etc			
3 Extraordinary support costs	1 Legal advice costs (i.e, solicitors).	item	Fixed Charge	1 Extraordinary support costs for which an allowance has been made within the main contractor's overheads
	2 Recruitment costs.			
	3 Team building costs.			
	4 Other extraordinary support costs			
	5 Day transport.	Week (number of staff by number of man hours per week by number of weeks)	Time-Related charge	
	6 Personnel transport (i.e. transportation or work operatives to site).			
	7 Temporary living accommodation (e.g. long/medium term accommodation costs). ... etc			
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Main contractor's project specific management and staff such as:

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1 Project-specific management and staff	Main contractor's project specific management and staff such as:	Week (number of staff by number of man hours per week by number of weeks)	Time-Related charge	1 Security staff (included in section 1.2.4: Security).
	1 Project manager/director.			
	2 Construction manager.			
	3 Supervisors, including works/trade package managers, building services engineering managers/co-ordinators and off-site production managers.			
	4 Health and safety manager/officers. ... etc			
2 Visiting management and staff	1 M	5 Commissioning manager (building engineering services).	charge	1 Visiting management and staff for which an allowance has been made within the main contractor's overheads
	2 C			
	3 C			
	... etc			
3 Extraordinary support costs	1 L	6 Planning/programming manager and staff. 7 Senior/managing quantity surveyor. 8 Project/package quantity surveyors. 9 Procurement manager. 10 Design manager. 11 Project engineers. 12 Environmental manager. 13 Temporary works design engineers. 14 Materials management staff (e.g. storeman). 15 Administrative staff, including secretary, document controllers, finance clerks and the like.	related	1 Extraordinary support costs for which an allowance has been made within the main contractor's overheads
	2 P			
	3 T			
	4 C			
	5 D			
	6 P			
	7 T cos ... etc			
4 Staff Travel	Co 1 V	16 Other management and staff.	charge	

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	2 Construction manager.			
	3 Supervisors, including works/trade package managers, building services engineering managers/co-ordinators and off-site production managers.			
	4 Health and safety manager/officers. ... etc			
2 Visiting management and staff	1 Managing director, regional director, operations director, commercial director and the like.			1 Visiting management and staff for which an allowance has been made within the main contractor's overheads
	2 Quality manager			
	3 Contracts/Commercial manager. ... etc			
3 Extraordinary support costs	1 Legal advice costs (i.e, solicitors).	item	Fixed Charge	1 Extraordinary support costs for which an allowance has been made within the main contractor's overheads
	2 Recruitment costs.			
	3 Team building costs.			
	4 Other extraordinary support costs			
	5 Day transport.	Week (number of staff by number of man hours per week by number of weeks)	Time-Related charge	
	6 Personnel transport (i.e. transportation or work operatives to site).			
	7 Temporary living accommodation (e.g. long/medium term accommodation costs). ... etc			
4 Staff Travel	Costs associated with off-site visits such as: 1 Visits to employer's and consultants' offices etc...	Nr (number of occasions)	Fixed charge	

Time-related charge

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1 Project-specific management and staff	Main contractor's project specific management and staff such as: 1 Project manager/director.	Week (number of staff by number of man hours per week by number of weeks)	Time-Related charge	1 Security staff (included in section 1.2.4: Security).
	2 Construction manager.			
	3 Supervisors, including works/trade package managers, building services engineering managers/co-ordinators and off-site production managers.			
	4 Health and safety manager/officers. ... etc			
2 Visiting management and staff	1 Managing director, regional director, operations director, commercial director and the like.			1 Visiting management and staff for which an allowance has been made within the main contractor's overheads
	2 Quality manager			
	3 Contracts/Commercial manager. ... etc			
3 Extraordinary support costs	1 Legal fees	Week (number of staff by number of man hours per week by number of weeks)	Fixed Charge	1 Extraordinary support costs for which an allowance has been made within the main contractor's overheads
	2 Recruitment			
	3 Tea and refreshment			
	4 Other			
	5 Day transport.		Time-Related charge	
	6 Personnel transport (i.e. transportation or work operatives to site).			
	7 Temporary living accommodation (e.g. long/medium term accommodation costs). ... etc			
4 Staff Travel	Costs associated with off-site visits such as: 1 Visits to employer's and consultants' offices etc...	Nr (number of occasions)	Fixed charge	

4 Health and safety manager.
5 Environmental manager/consultant.
6 Other visiting management and staff.

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Component	Included	Unit	Pricing method	Excluded
1 Project-specific management and staff	Main contractor's project specific management and staff such as:	Week (number of staff by number of man hours per week by number of weeks)	Time-Related charge	1 Security staff (included in section 1.2.4: Security).
	1 Project manager/director.			
	2 Construction manager.			
	3 Supervisors, including works/trade package managers, building services engineering managers/co-ordinators and off-site production managers.			
	4 Health and safety manager/officers. ... etc			
2 Visiting management and staff	1 Managing director, regional director, operations director, commercial director and the like.	item	Fixed Charge	1 Visiting management and staff for which an allowance has been made within the main contractor's overheads
	2 Quality manager			
	3 Contracts/Commercial ... etc			
3 Extraordinary support costs	1 Legal advice costs (i.e, solicitors).	item	Fixed Charge	1 Extraordinary support costs for which an allowance has been made within the main contractor's overheads
	2 Recruitment costs.			
	3 Team building costs.			
	4 Other extraordinary support costs			
	5 Day transport.	Week (number of staff by number of man hours per week by number of weeks)	Time-Related charge	
	6 Personnel transport (i.e. transportation or work operatives to site).			
	7 Temporary living accommodation (e.g. long/medium term accommodation costs). ... etc			
4 Staff Travel	Costs associated with off-site visits such as: 1 Visits to employer's and consultants' offices etc...	Nr (number of occasions)	Fixed charge	

8 Subsistence payments.

9 Out of normal hours working, including non-productive overtime allowances.

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Component	Included	Unit	Pricing method	Excluded
1 Project-specific management and staff	Main contractor's project specific management and staff such as: 1 Project manager/director.	Week (number of staff by number of man hours per week by number of weeks)	Time-Related charge	1 Security staff (included in section 1.2.4: Security).
	2 Construction manager.			
	3 Supervisors, including works/trade package managers, building services engineering managers/co-ordinators and off-site production managers.			
	4 Health and safety manager/officers. ... etc			
2 Visiting management and staff	1 Managing director, regional director, operations director, commercial director and the like.			1 Visiting management and staff for which an allowance has been made within the main contractor's overheads
	2 Quality manager			
	3 Contracts/Commercial manager. ... etc			
3 Extraordinary support costs	1 Legal advice costs (i.e, solicitors).	item	Fixed Charge	1 Extraordinary support costs for which an allowance has been made within the main contractor's overheads
	2 Recruitment costs.			
	3 Team building costs.			
	4 Other extraordinary support costs			
	5 Day t			
	6 Perso			
	7 Temp costs). ... etc			
4 Staff Travel	Costs associated with off-site visits such as: 1 Visits to employer's and consultants' offices etc...	Nr (number of occasions)	Fixed charge	

2 Visits to subcontractors' offices/works.
3 Overseas visits.
4 Accommodation charges and overnight expenses.

RICS NEW RULES OF MEASUREMENT, NRM2: DETAILED MEASUREMENT FOR BUILDING WORKS

1. PRELIMINARIES (MAIN CONTRACT) 1.2 Main Contractor's cost items 1.2.2 Site establishment

Component	Included	Unit	Pricing method	Excluded
1 Site accommodation	Main contractor's and common user temporary site accommodation such as: <ul style="list-style-type: none"> – offices. – conference/meeting rooms. – canteens and kitchens. – drying rooms. – toilets and washrooms. – first aid room. – laboratories. – workshops. – secure stores. – compounds, including containers for material storage. – security control room. – stairs and office staging. Type and extent of accommodation to be provided to be stated, with each type separately quantified.			1 Employer's accommodation, where not an integral part of the main contractor's site accommodation (included in section 1.1.1: Site accommodation).
	1 Purchase charges	item	Fixed Charge	2 Temporary bases, foundations and provision of drainage and services to temporary site accommodation (included in component 1.2.2.2: Temporary works in connection with site establishment).
	2 Hire charges.	week	Time-related charge.	3 Service provider's charges for temporary services (included in section 1.2.12: Fees and charges).
	3 Employer's accommodation, where an integral part of the main contractor's site accommodation.			
	4 Delivery of temporary site accommodation to site, erection, construction and removal.	item	Fixed Charge	4 Rates for temporary services (included in section 1.2.12: Fees and charges).
	5 Temporary accommodation made available by the employer.	week	Time-related charge.	
	6 Intruder alarms.	item	Fixed Charge	
	7 Land/property rental where site accommodation located off-site.	week	Time-related charge.	
	8 Alterations and adaptations to site accommodation, including partitioning, doors, painting and decorating, and the like. etc...	item	Fixed Charge	

RICS NEW RULES OF MEASUREMENT, NRM2: DETAILED MEASUREMENT FOR BUILDING WORKS

1. PRELIMINARIES (MAIN CONTRACT) 1.2 Main Contractor's cost items 1.2.2 Site establishment

Component	Included	Unit	Pricing method	Excluded
1 Site accommodation	Main contractor's and common user temporary site accommodation such as: <ul style="list-style-type: none"> – offices. – conference/meeting rooms. – canteens and kitchens. – drying rooms. – toilets and washrooms. – first aid room. – laboratories. – workshops. – secure stores. – compounds, including containers for material storage. – security control room. – stairs and of Type and extent of work to be measured with each type			1 Employer's accommodation, where not an integral part of the main contractor's site accommodation (included in section 1.1.1: Site accommodation). 2 Temporary bases, foundations and provision of drainage and services to temporary site accommodation
	1 Purchase charges			on with site (ment).
	2 Hire charges			the provider's charges for ry (included in section Fees rges).
	3 Employer's accommodation on contractor's site			for temporary services d in 1.2.12: Fees and charges).
	4 Delivery of temporary construction accommodation			
	5 Temporary accommodation			
	6 Intruder alarm			
	7 Land/property rental where site accommodation located off-site.		Related charge.	
	8 Alterations and adaptations to site accommodation, including partitioning, doors, painting and decorating, and the like. etc...		Fixed Charge	

9 Relocation and alterations of temporary accommodation during construction stage.

10 Reinstating temporary site accommodation to original condition prior to removal from site.

11 Removal of site accommodation and temporary works in connection with site accommodation.

RICS NEW RULES OF MEASUREMENT, NRM2: DETAILED MEASUREMENT FOR BUILDING WORKS

1. PRELIMINARIES (MAIN CONTRACT) 1.2 Main Contractor's cost items 1.2.7 Mechanical Plant

Component	Included	Unit	Pricing method	Excluded
1 Generally	Common user mechanical plant and equipment used in construction operations.			Plant and equipment used for specific construction operations, such as: 1 Earthmoving plant. 2 Piling plant. 3 Paving and surfacing plant. 4 Wheel spinners, and road sweepers (included in section 1.2.11: Cleaning). 5 Access scaffolding (included in section 1.2.8:Temporary works).
2 Tower cranes	Type of craneage to be provided shall be stated; with each type separately quantified. 1 Hire charges.	week	Time-related charge.	1 Temporary electrical supply to tower crane (included in section 1.2.3:Temporary services).
	2 Crane operator.	week (number of staff by number of man hours per week by number of weeks)		
	3 Overtime for crane and operator.			
	4 Piles for tower crane bases, including maintenance removal... etc	nr	Fixed charge.	
3 Mobile cranes	Type of craneage to be provided shall be stated; with each type separately quantified. 1 Mobile crane hire charges, including driver/operator charges.	week	1 Fixed charge. 2 Time-related charge.	
	2 Attendance.	nr (number of man hours per visit by number of visits)		
	3 Other costs specific to mobile crane hire. ... etc	item		

RICS NEW RULES OF MEASUREMENT, NRM2: DETAILED MEASUREMENT FOR BUILDING WORKS

1. PRELIMINARIES (MAIN CONTRACT) 1.2 Main Contractor's cost items 1.2.8 Temporary works

Component	Included	Unit	Pricing method	Excluded
1 Access scaffolding	Common user access scaffolding (type of access scaffolding to be specified): – access scaffolding to elevations, lift shafts and the like, including: fans and mesh screens. – structural scaffolding (e.g. to party walls). – birdcage scaffolding. – cantilever access scaffolding. – staircase platforms. – primary loading platforms. – travelling access platforms. 1 Bringing to site, erecting and initial safety checks.	nr	Fixed charge.	<p>1 Scaffolding specific to works packages (included in appropriate element or sub-element).</p> <p>2 Scaffold inspections (included in sub-element 1.2.5: Safety and environmental protection).</p> <p>1 Temporary works design (included in section 1.1.1: Management and staff).</p> <p>2 Temporary bases, drainage and services to site accommodation (included in section 1.2.2: Site establishment).</p> <p>3 Temporary roads, paths and pavement, including on-site car parking (included in section 1.2.2: Site establishment (i.e. Builder's work in connection with site accommodation)).</p> <p>4 Hoardings, fans, fencing and the like to site boundaries and to form site compounds (included in section 1.2.4: Security (hoardings, fences and gates)).</p> <p>5 Temporary earthwork support basement excavations.</p> <p>6 Temporary props and walings to support contiguous bored pile wall of basement excavations.</p> <p>7 Traffic management, including traffic marshals and temporary traffic lights (included in section 1.2.5: Safety and environmental protection).</p>
	2 Hire charges.	week	Time-related charge.	
	3 Altering and adapting during construction.	nr	Fixed charge.	
	4 Dismantling and removing from site.			
2 Temporary works	Common user temporary works: – support scaffolding and propping. – crash decks. – temporary protection to existing trees and/or vegetation. – floodlights. 1 Bringing to site, erecting and initial safety checks.	nr	Fixed charge.	
	2 Hire charges.	week	Time-related charge.	
	3 Altering and adapting during construction.	nr	Fixed charge.	
	4 Dismantling and removing from site.			

JCT - VALUATION OF VARIATIONS

Clause 5.3 provides:

5.3.1

If the Architect/Contract Administrator in his instruction for a Variation states that the Contractor is to provide a quotation in accordance with the provisions of Schedule 2 (a 'Variation Quotation'), the Contractor shall subject to receipt of sufficient information provide a quotation in accordance with those provisions, unless within 7 days of his receipt of that instruction (or such longer period as is either stated in the instruction or agreed between them) he notifies the Architect/Contract Administrator that he disagrees with the application of the procedure to that instruction.

5.3.2

If the Contractor notifies his disagreement within that period, he shall not be obliged to provide that quotation and the Variation shall not be carried out unless and until the Architect/Contract Administrator gives a further instruction that the Variation is to be carried out and is to be valued by a Valuation.

5.3.3

Where a Variation Quotation has been made for work and a Confirmed Acceptance issued, then, if the Architect/Contract Administrator subsequently issues an instruction requiring a Variation of that work, the Valuation of that Variation shall be made on a fair and reasonable basis having regard to the content of that quotation and that Valuation shall include the direct loss and/or expense, if any, incurred by the Contractor because the regular progress of the Works or of any part of them is materially affected by compliance with the instruction. The Valuation Rules shall apply only to the extent that they are consistent with those requirements.

JCT - ADJUSTMENT OF COMPLETION DATE

Clause 2.27.1 provides:

If and **whenever it becomes reasonably apparent** that the progress of the Works or any Section is being or is likely to be delayed the Contractor shall **forthwith give written notice** to the Architect/Contract Administrator of the **material circumstances**, including the cause or causes of the delay, and shall identify in the notice any event which in his opinion is a Relevant Event.

JCT - ADJUSTMENT OF COMPLETION DATE

Clause 2.27.2 provides:

In respect of each event identified in the notice the Contractor shall, if practicable in such notice, or otherwise in writing **as soon as possible thereafter**, give **particulars of its expected effects including an estimate of any expected delay** in the completion of the Works or any Section beyond the relevant Completion Date.

JCT - LOSS AND EXPENSE

Clause 4.20 provides:

- 4.20.1 If in the execution of this Contract the Contractor **incurs or is likely to incur any direct loss and/or expense** as a result of any deferment of giving possession of the site or part of it under clause 2.5 or because regular progress of the Works or any part of them has been or is likely to be materially affected by any Relevant Matter, he shall, subject to clause 4.20.2 and compliance with the provisions of clause 4.21 be entitled to reimbursement of that loss and/or expense.

JCT - LOSS AND EXPENSE

- 4.20.2 No such entitlement arises where these Conditions provide that there shall be no addition to the Contract Sum or otherwise **exclude the operation of this clause 4.20 or to the extent that the Contractor is reimbursed for such loss and/or expense under another provision of these Conditions.**
- 4.21.1 The Contractor shall notify the Architect/Contract Administrator as soon as the **likely effect of a Relevant Matter** on regular progress **or the likely nature and extent of any loss and/or expense arising from a deferment of possession** becomes (or should have become) reasonably apparent to him.

JCT - LOSS AND EXPENSE

Clauses 4.21, 4.23 and 4.24 provide, *inter alia*:

- 4.21.2 That **notification shall be accompanied by**, or as soon as reasonably practicable, followed by the **Contractor's initial assessment** of the loss and/or expense incurred and any further amounts likely to be incurred, together with **such information as is reasonably necessary** to enable the Architect/Contract Administrator or Quantity Surveyor to ascertain the loss and/or expense incurred.
- 4.21.3 The Contractor shall thereafter, in such form and manner as the Architect/Contract Administrator may reasonably require, **update that assessment and information at monthly intervals** until all information reasonably necessary to allow ascertainment of the total amount of such loss and expense has been supplied.

JCT - LOSS AND EXPENSE

- 4.21.4 Within 28 days of receipt of the initial assessment and information and 14 days of each subsequent update of them the Architect/Contract Administrator or Quantity Surveyor shall notify the Contractor of the ascertained amount of the loss and/or expense incurred, each ascertainment being made by reference to the information supplied by the Contractor and in sufficient detail to enable the Contractor to identify differences between it and the Contractor's assessment.
- 4.23 Amounts ascertained under clause 4.21 shall be added to the Contract Sum.
- 4.24 The provisions of clauses 4.20 to 4.23 shall not limit or affect any other rights and remedies of the Contractor.

RECOVERABLE DAMAGE

- Two limbs of *Hadley v Baxendale* (1854)
 - ◆ **Direct loss and damage**
 - Losses flowing naturally from the breach.
 - Damages for breach of contract can be recovered if the loss could **fairly and reasonably** be considered to arise naturally according to the **usual course** of things from the breach.
 - ◆ **Indirect (or consequential) loss and damage**
 - Losses arising from a special circumstance of the case which can **reasonably be supposed to have been in the contemplation of the parties** (at the time they made the contract) as the probable consequence of the breach.
 - **Only the type** of damage need to have been contemplated as opposed to the amount of damages.

DIRECT AND INDIRECT LOSSES

- Limiting liability for **indirect** losses requires clear unambiguous wording.
- Exclude/limit liability by a financial cap in relation **to certain defined categories of loss** - direct or indirect (e.g. no liability for loss of profits).
- **Alternatively**, accept liability for all losses, direct or indirect, but limit liability by a **financial cap or time cap** (e.g. defects liability period).
- *McCain Foods v Eco-Tec (Europe) Ltd*:
 - ◆ Clause said *“in no event will the Seller be responsible for indirect, special, incidental and consequential damages”*.
 - ◆ Damages claimed included - costs of replacing the system, loss of revenue, the extra costs in having to buy electricity (for period system should have been generating biogas), costs of contractors and personnel, costs of staff time to resolve issues etc.
 - ◆ Supplier accepted liability for the **direct loss of replacing the system** but said all the other losses were indirect and excluded.
 - ◆ Court held **all the losses were direct losses** and recoverable.

IMPORTANCE OF RECORDS

Mansion Place Limited v Fox Industrial Services Limited [2021] EWHC 2972 (TCC)

- Student accommodation - extension and refurbishment under JCT Design and Build 2016
- There were delays and a dispute arose as to the deduction of liquidated damages - was there a binding oral agreement that no liquidated damages would be deducted?
- Mr Justice Eyre stated:

*“...I must look at the witnesses' evidence through the **prism of the contemporaneous documents**; of their subsequent actions; of those events which are accepted or clearly demonstrated to have happened; and of inherent likelihood. The impression made by the demeanour of a witness must be set against those matters and to the extent that the **contemporaneous documents** in particular show a picture different from that depicted by a particular witness it is the former and not the latter which I should regard as more likely to be an accurate account of what happened”.*

SCHEDULE 1 – CAUSE OF DELAY

	CAUSE OF DELAY	ACTIVITY/ACTIVITIES AFFECTED LIKELY TO BE AFFECTED (3)	DELAY TO ACTIVITY /ACTIVITIES		DELAY TO ACTIVITY/ ACTIVITIES (Working Days) (6)	PHYSICAL CONSEQUENCES (7)	ESTIMATED DELAY TO OVERALL COMPLETION (Calendar Days) (8)	NOTIFICATION	
			STARTED (4)	FINISHED (5)				1. Date(s) 2. Reference(s) 3. Clause Number(s)	CLAUSE 2.27 (9)

ITEM NO. (1)

Basis of correlation between schedules and records

SCHEDULE 1 – CAUSE OF DELAY

ITEM NO.	ACTIVITY/ACTIVITIES AFFECTED LIKELY TO BE AFFECTED	DELAY TO ACTIVITY /ACTIVITIES FINISHED	DELAY TO ACTIVITY/ ACTIVITIES (Working Days)	PHYSICAL CONSEQUENCES	ESTIMATED DELAY TO OVERALL COMPLETION (Calendar Days)	NOTIFICATION		
						1. Date(s)	2. Reference(s)	
(1)	(2)	(5)	(6)	(7)	(8)	3. Clause Number(s)	CLAUSE 2.27	CLAUSE 4.23
						(9)	(10)	
	<p>Chronological listing of “...the cause or causes of the delay, and... any event which in [the Contractor’s] opinion is a Relevant Event” as notified under clause 2.27.1</p>							

SCHEDULE 1 – CAUSE OF DELAY

ITEM NO.	CAUSE OF DELAY	DELAY TO ACTIVITY /ACTIVITIES	DELAY TO ACTIVITY/ ACTIVITIES	PHYSICAL CONSEQUENCES	ESTIMATED DELAY TO OVERALL COMPLETION (Calendar Days)	NOTIFICATION	
						1. Date(s)	2. Reference(s)
(1)	(2)	ACTIVITY/ ACTIVITIES AFFECTED/LIKELY TO BE AFFECTED (3)		(7)	(8)	3. Clause Number(s)	
						CLAUSE 2.27	CLAUSE 4.23
						(9)	(10)

The effects of any given cause of delay could vary from one activity to another

SCHEDULE 1 – CAUSE OF DELAY

ITEM NO.	CAUSE OF DELAY	ACTIVITY/ACTIVITIES AFFECTED LIKELY TO BE AFFECTED	DELAY TO ACTIVITY/ACTIVITIES	PHYSICAL CONSEQUENCES	ESTIMATED DELAY TO OVERALL COMPLETION (Calendar Days)	NOTIFICATION	
						1. Date(s)	2. Reference(s)
(1)	(2)	(3)	DELAY TO ACTIVITY/ACTIVITIES		(8)	CLAUSE 2.27	CLAUSE 4.23
			STARTED (4)	FINISHED (5)		(9)	(10)
<p>Start and finish dates are essential to:</p> <ul style="list-style-type: none"> ◆ determine whether any particular cause of delay is critical to overall completion ◆ fix the window for the valuation of Variations and ascertainment of loss and expense or damages. 							

SCHEDULE 1 – CAUSE OF DELAY

ITEM NO.	CAUSE OF DELAY	ACTIVITY/ACTIVITIES AFFECTED LIKELY TO BE AFFECTED	DELAY TO ACTIVITY /ACTIVITIES		PHYSICAL CONSEQUENCES	ESTIMATED DELAY TO OVERALL COMPLETION	NOTIFICATION	
			STARTED	FINISHED			CLAUSE 2.27	CLAUSE 4.23
(1)	(2)	(3)	(4)	(5)	(6)	(9)	(10)	

DELAY TO ACTIVITY (Working Days) (6)

Basis of valuation of Variations and ascertainment of activity loss and expense or damages

SCHEDULE 1 – CAUSE OF DELAY

ITEM NO. (1)	CAUSE OF DELAY (2)	ACTIVITY/ACTIVITIES AFFECTED LIKELY TO BE AFFECTED (3)	DELAY TO ACTIVITY /ACTIVITIES		DELAY TO ACTIVITY/ ACTIVITIES (Working Days) (6)	ESTIMATED DELAY TO OVERALL COMPLETION (7)	NOTIFICATION	
			STARTED (4)	FINISHED (5)			1. Date(s) 2. Reference(s) 3. Clause Number(s)	CLAUSE 4.23 (10)

PHYSICAL CONSEQUENCES (7)

A short statement of what happened in fact

SCHEDULE 1 – CAUSE OF DELAY

ITEM NO.	CAUSE OF DELAY	ACTIVITY/ACTIVITIES AFFECTED LIKELY TO BE AFFECTED	DELAY TO ACTIVITY /ACTIVITIES		PHYSICAL CONSEQUENCES	ESTIMATED DELAY TO OVERALL COMPLETION (Calendar Days)	NOTIFICATION		
			STARTED	FINISHED			1. Date(s)	2. Reference(s)	3. Clause Number(s)
		ACTIVITY/ACTIVITIES AFFECTED LIKELY TO BE AFFECTED (3)	STARTED (4)	FINISHED (5)	DELAY TO ACTIVITY/ACTIVITIES (Working Days) (6)		PHYSICAL CONSEQUENCES (7)	CLAUSE	CLAUSE
<p>Entries into (3) to (7) are the “...particulars of [the Relevant Event’s] expected effects...” per clause 2.27.2</p>									

SCHEDULE 1 – CAUSE OF DELAY

ITEM NO.	CAUSE OF DELAY	ACTIVITY/ACTIVITIES AFFECTED LIKELY TO BE AFFECTED	DELAY TO ACTIVITY /ACTIVITIES		DELAY TO ACTIVITY/ ACTIVITIES (Working Days)	PHYSICAL CONSEQUENCES		NOTIFICATION		
			STARTED	FINISHED				1. Date(s)	2. Reference(s)	3. Clause Number(s)
(1)	(2)	(3)	(4)	(5)	(6)	(7)				
<div data-bbox="84 581 1402 1393" style="border: 2px solid red; padding: 10px;"> <p>“...an estimate of any expected delay in the completion of the Works” per clause 2.27.2</p> <ul style="list-style-type: none"> ◆ The period of critical delay will be determined by delay analysis ◆ The period of critical delay will be the basis for the ascertainment of time-related loss and expense/damages and the valuation of Variations, particularly additional preliminaries (per NRM2) </div>								<p>ESTIMATED DELAY TO OVERALL COMPLETION (Calendar Days) (8)</p>		

SCHEDULE 1 – CAUSE OF DELAY

ITEM NO.	CAUSE OF DELAY	ACTIVITY/ACTIVITIES AFFECTED LIKELY TO BE AFFECTED	DELAY TO ACTIVITY /ACTIVITIES		DELAY TO ACTIVITY/ ACTIVITIES (Working	PHYSICAL CONSEQUENCES	ESTIMATED DELAY TO OVERALL COMPLETION
			STARTED	FINISHED			
(1)	(2)	(3)	(4)	(5)	NOTIFICATION		
					1. Date(s) 2. Reference(s) 3. Clause Number(s)		
					CLAUSE 2.27 (9)	CLAUSE 4.21 (10)	

◆ For correlation only
 ◆ Schedule not intended to be a substitute for notices for extensions of time (clause 2.27.1) or applications for loss and expense (clause 4.21)

SCHEDULE 2 – LATE INFORMATION

ITEM NO	INFORMATION ISSUE								Activity/Activities Affected
	Nature of Information	Date of Request	Manner of Request	Nature of Issue	Date Required	Date Received	Days Late		
(1)	(2)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	

ITEM NO. (1)

Schedule 2 Item number

SCHEDULE 2 – LATE INFORMATION

ITEM NO. (1)	SCHED 1 REF NO. (2)	INFORMATION REQUEST			INFORMATION ISSUE		Activity/Activities Affected (10)
		Nature of Information (3)	Date of Request (4)	Manner of Request (5)	Date Received (8)	Days Late (9)	

Should always be written:

- ◆ letter or email
- ◆ Information Required Schedule
- ◆ programme endorsed with information required dates

SCHEDULE 2 – LATE INFORMATION

ITEM NO.	SCHED 1 REF NO.	INFORMATION REQUEST				Activity/Activities Affected
		INFORMATION ISSUE				
(1)	(2)	Nature of Issue (6)	Date Required (7)	Date Received (8)	Days Late (9)	(10)

- ◆ Not necessarily the date upon which the cause of delay starts
- ◆ The test is whether, if the information had been made available to him, would the Contractor have been able to proceed with the activity to which the information relates i.e. was the work at a stage at which the information could be used to make progress

SCHEDULE 2 – LATE INFORMATION

ITEM NO.	SCHED 1 REF NO.	INFORMATION REQUEST			INFORMATION ISSUE	
		Nature of Information	Date of Request	Manner of Request	Nature of Issue	Particulars
(1)	(2)	(3)	(4)	(5)	(6)	

Activity/Activities Affected (10)

An initial view only – could be more or less extensive in fact

DATE ACTIVITY SHEET SUPERVISOR.....

SUMMARY RECORD OF DELAY AND DISRUPTION

ABLE RECORDS OF
CAL CONSEQUENCES ³

(1)	(2)	START (3)	FINISH ¹ (4)	(5)	(6)
	Other cause(s) of delay ⁴				

1. State if ongoing

2. For example:

- A. Postponed commencement
- B. Suspension of work
- C. Abortive work; give details
- D. Redeployment of resources from to.....
- E. Out of sequence working (i.e.before.....)
- F. Additional work

3. Records, e.g. Daily Allocation Sheets, Sub-Contractors' On-Site Sheets, Site Diary, Daywork Records, Photographs, CCTV, etc.

4. Please specify

SUMMARY RECORD OF DELAY AND DISRUPTION

ACTIVITY.....

SHEET.....

SUPERVISOR.....

ITEM NO	DATE.....	DELAY TO ACTIVITY		PHYSICAL CONSEQUENCES ²	AVAILABLE RECORDS OF PHYSICAL CONSEQUENCES ³
		START	FINISH ¹		
(1)	(2)	(3)	(4)	(5)	(6)
	Other cause(s) of delay ⁴				

1. State if ongoing

2. For example:

- A. Postponed commencement
- B. Suspension of work
- C. Abortive work; give details
- D. Redeployment of resources from to.....
- E. Out of sequence working (i.e.before.....)
- F. Additional work

3. Records, e.g. Daily Allocation Sheets, Sub-Contractors' On-Site Sheets, Site Diary, Daywork Records, Photographs, CCTV, etc.

4. Please specify

DATE.....

SHEET.....

SUPERVISOR.....



ITEM NO (1)	CAUSE OF DELAY (2)	DELAY TO ACTIVITY (3) (4)		PHYSICAL CONSEQUENCES ² (5)	AVAILABLE RECORDS OF PHYSICAL CONSEQUENCES ³ (6)
	Other cause(s) of delay ⁴				

1. State if ongoing

2. For example:

- A. Postponed commencement
- B. Suspension of work
- C. Abortive work; give details
- D. Redeployment of resources from to.....
- E. Out of sequence working (i.e.before.....)
- F. Additional work

3. Records, e.g. Daily Allocation Sheets, Sub-Contractors' On-Site Sheets, Site Diary, Daywork Records, Photographs, CCTV, etc.

4. Please specify

SUMMARY RECORD OF DELAY AND DISRUPTION

DATE.....

ACTIVITY.....

SUPERVISOR.....



ITEM NO (1)	CAUSE OF DELAY (2)	DELAY TO ACTIVITY		PHYSICAL (5)	AVAILABLE RECORDS OF CAUSAL CONSEQUENCES ³ (6)
		START (3)	FINISH ¹ (4)		
	Other cause(s) of delay ⁴				

1. State if ongoing

2. For example:

- A. Postponed commencement
- B. Suspension of work
- C. Abortive work; give details
- D. Redeployment of resources from to.....
- E. Out of sequence working (i.e.before.....)
- F. Additional work

3. Records, e.g. Daily Allocation Sheets, Sub-Contractors' On-Site Sheets, Site Diary, Daywork Records, Photographs, CCTV, etc.

4. Please specify

SUMMARY RECORD OF DELAY AND DISRUPTION

DATE.....

ACTIVITY.....

SHEET.....



ITEM NO	CAUSE OF DELAY	DELAY TO ACTIVITY		PHYSICAL CONSEQUENCE	SUPERVISOR.....
		START	FINISH ¹		
(1)	(2)	(3)	(4)	(5)	(6)
	Other cause(s) of delay ⁴				

1. State if ongoing

2. For example:

- A. Postponed commencement
- B. Suspension of work
- C. Abortive work; give details
- D. Redeployment of resources from to.....
- E. Out of sequence working (i.e.before.....)
- F. Additional work

3. Records, e.g. Daily Allocation Sheets, Sub-Contractors' On-Site Sheets, Site Diary, Daywork Records, Photographs, CCTV, etc.

4. Please specify

SUMMARY RECORD OF DELAY AND DISRUPTION

DATE.....

ACTIVITY.....

SHEET.....

SUPERVISOR.....

ITEM NO. (1)	CAUSE OF DELAY	DELAY TO ACTIVITY		PHYSICAL CONSEQUENCES ²	AVAILABLE RECORDS OF PHYSICAL CONSEQUENCES ³
		START (3)	FINISH ¹ (4)		
				(5)	(6)
	Other cause(s) of delay ⁴				

1. State if ongoing

2. For example:

- A. Postponed commencement
- B. Suspension of work
- C. Abortive work; give details
- D. Redeployment of resources from to.....
- E. Out of sequence working (i.e.before.....)
- F. Additional work

3. Records, e.g. Daily Allocation Sheets, Sub-Contractors' On-Site Sheets, Site Diary, Daywork Records, Photographs, CCTV, etc.

4. Please specify

SUMMARY RECORD OF DELAY AND DISRUPTION

DATE.....

ACTIVITY.....

SHEET.....

SUPERVISOR.....

ITEM NO (1)	CAUSE OF DELAY (2)	DELAY TO ACTIVITY		PHYSICAL CONSEQUENCES ² (5)	AVAILABLE RECORDS OF PHYSICAL CONSEQUENCES ³ (6)
		START (3)	FINISH ¹ (4)		
	Other cause(s) of delay ⁴				

1. State if ongoing

2. For example:

- A. Postponed commencement
- B. Suspension of work
- C. Abortive work; give details
- D. Redeployment of resources from to.....
- E. Out of sequence working (i.e.before.....)
- F. Additional work

3. Records, e.g. Daily Allocation Sheets, Sub-Contractors' On-Site Sheets, Site Diary, Daywork Records, Photographs, CCTV, etc.

4. Please specify

DATE.....

ACTIVITY.....

SHEET.....

SUPERVISOR.....

ITEM NO (1)	CAUSE OF DELAY (2)	PHYSICAL CONSEQUENCES ²		AVAILABLE RECORDS OF PHYSICAL CONSEQUENCES ³ (6)
		<div data-bbox="737 412 1377 513" style="background-color: yellow; padding: 5px; border: 1px solid black;"> DELAY TO ACTIVITY </div>		
		<div data-bbox="737 513 1066 756" style="background-color: yellow; padding: 5px; border: 1px solid black;"> START (3) </div>	<div data-bbox="1066 513 1377 756" style="background-color: yellow; padding: 5px; border: 1px solid black;"> FINISH ¹ (4) </div>	
	Other cause(s) of delay ⁴			

1. State if ongoing

1. State if ongoing

2. For example:

- A. Postponed commencement
- B. Suspension of work
- C. Abortive work; give details
- D. Redeployment of resources from to.....
- E. Out of sequence working (i.e.before.....)
- F. Additional work

3. Records, e.g. Daily Allocation Sheets, Sub-Contractors' On-Site Sheets, Site Diary, Daywork Records, Photographs, CCTV, etc.

4. Please specify

DATE.....

ACTIVITY.....

SHEET.....

SUPERVISOR.....

ITEM NO (1)	CAUSE OF DELAY (2)	DELAY TO ACTIVITY		AVAILABLE RECORDS OF PHYSICAL CONSEQUENCES ³ PHYSICAL CONSEQUENCES² (5)
		START (3)	FINISH ¹ (4)	
	Other cause(s) of delay ⁴			

**2. For example:
A. Postponed commencement**

1. State if ongoing

2. For example

A. Postponed commencement

B. Suspension of work

C. Abortive work; give details

D. Redeployment of resources from to.....

E. Out of sequence working (i.e.before.....)

F. Additional work

Records, e.g. Daily Allocation Sheets, Job-Contractors' On-Site Sheets, Site Diary, Daywork Records, Photographs, TV, etc.

4. Please specify

DATE.....

ACTIVITY.....

SHEET.....

SUPERVISOR.....

ITEM NO (1)	CAUSE OF DELAY (2)	DELAY TO ACTIVITY		AVAILABLE RECORDS OF PHYSICAL CONSEQUENCES ³ PHYSICAL CONSEQUENCES² (5)
		START (3)	FINISH ¹ (4)	
	Other cause(s) of delay ⁴			

1. State if

B. Suspension of work

2. For example

- A. Postponement of commencement
- B. Suspension of work
- C. Abortive work; give details
- D. Redeployment of resources from to.....
- E. Out of sequence working (i.e.before.....)
- F. Additional work

3. Records, e.g. Daily Allocation Sheets, Sub-Contractors' On-Site Sheets, Site Diary, Daywork Records, Photographs, CCTV, etc.

4. Please specify

DATE.....

ACTIVITY.....

SHEET.....

SUPERVISOR.....

ITEM NO (1)	CAUSE OF DELAY (2)	DELAY TO ACTIVITY		AVAILABLE RECORDS OF PHYSICAL CONSEQUENCES ³ PHYSICAL CONSEQUENCES² (5)
		START (3)	FINISH ¹ (4)	
	Other cause(s) of delay ⁴			

1. State

2. For

C. Abortive work; give details

- A. Postponed work
- B. Suspended work
- C. Abortive work; give details
- D. Redeployment of resources from to.....
- E. Out of sequence working (i.e.before.....)
- F. Additional work

Records, e.g. Daily Allocation Sheets, Sub-Contractors' On-Site Sheets, Site Diary, Daywork Records, Photographs, CCTV, etc.

4. Please specify

DATE.....

ACTIVITY.....

SHEET.....

SUPERVISOR.....

ITEM NO (1)	CAUSE OF DELAY (2)	DELAY TO ACTIVITY		AVAILABLE RECORDS OF PHYSICAL CONSEQUENCES ³ PHYSICAL CONSEQUENCES² (5)
		START (3)	FINISH ¹ (4)	
	Other cause(s) of delay ⁴			

- 1. Start
- 2. For
- A.
- B.
- C. Aborting, give details
- D. Redeployment of resources from to.....
- E. Out of sequence working (i.e.before.....)
- F. Additional work

D. Redeployment of resources from..... to

- 3. Records, e.g. Daily Allocation Sheets, Sub-Contractors' On-Site Sheets, Site Diary, Daywork Records, Photographs, CCTV, etc.
- 4. Please specify

DATE.....

ACTIVITY.....

SHEET.....

SUPERVISOR.....

ITEM NO (1)	CAUSE OF DELAY (2)	DELAY TO ACTIVITY		AVAILABLE RECORDS OF PHYSICAL CONSEQUENCES ³ PHYSICAL CONSEQUENCES ² (5)
		START (3)	FINISH ¹ (4)	
	Other cause(s) of delay ⁴			

- 1. S
- 2. F
- A
- E
- C
- D. Reden
- E. Out of sequence working (i.e.before.....)
- F. Additional work

**E. Out of sequence working
(i.e..... before.....)**

- 3. Records, e.g. Daily Allocation Sheets, Sub-Contractors' On-Site Sheets, Site Diary, Daywork Records, Photographs, CCTV, etc.
- 4. Please specify

DATE.....

ACTIVITY.....

SHEET.....

SUPERVISOR.....

ITEM NO (1)	CAUSE OF DELAY (2)	DELAY TO ACTIVITY		AVAILABLE RECORDS OF PHYSICAL CONSEQUENCES ³
		START (3)	FINISH ¹ (4)	
				<div style="background-color: yellow; padding: 10px; text-align: center;"> PHYSICAL CONSEQUENCES ² (5) </div>
	Other cause(s) of delay ⁴			

1. State if ongoing

2. For example:

F. Additional Work

- D. Reder resources from to.....
- E. Out sequence working (i.e.before.....)
- F. Additional work

3. Records, e.g. Daily Allocation Sheets, Sub-Contractors' On-Site Sheets, Site Diary, Daywork Records, Photographs, CCTV, etc.

4. Please specify

DATE.....

ACTIVITY.....

SHEET.....

SUPERVISOR.....

ITEM NO (1)	CAUSE OF DELAY (2)	DELAY TO ACTIVITY		PHYSICAL CONSEQUENCES ² (6)
		START (3)	FINISH ¹ (4)	
	Other cause(s) of delay ⁴			

**AVAILABLE RECORDS ³
OF PHYSICAL
CONSEQUENCES
(6)**

3. Records, e.g. Daily Allocation Sheets, Sub-Contractors' On-Site Sheets, Site Diary, Daywork Records, Photographs, CCTV etc.

3. Records, e.g. Daily Allocation Sheets, Sub-Contractors' On-Site Sheets, Site Diary, Daywork Records, Photographs, CCTV, etc.

4. Please specify

- C. Abortive work; give details
- D. Redeployment of resources from to.....
- E. Out of sequence working (i.e.before.....)
- F. Additional work

SUMMARY RECORD OF DELAY AND DISRUPTION

DATE.....

ACTIVITY.....

SHEET.....

SUPERVISOR.....

ITEM NO (1)	CAUSE OF DELAY (2)	DELAY TO ACTIVITY		PHYSICAL CONSEQUENCES ² (5)	
		START (3)	FINISH ¹ (4)		
	Other cause(s) of delay ⁴				

3. Photographs are useful but in themselves are not a complete record - Photographs do not speak and only record what is shown. They do not record what is not shown.

- 1. Staff
- 2. For
- A.
- B.
- C.
- D.
- E.
- F. Additional work

- 3. Records, e.g. Daily Allocation Sheets, Sub-Contractors' On-Site Sheets, Site Diary, Daywork Records, Photographs, CCTV, etc.
- 4. Please specify

SUMMARY RECORD OF DELAY AND DISRUPTION

DATE.....

ACTIVITY.....

SHEET.....

SUPERVISOR.....

ITEM NO (1)	CAUSE OF DELAY (2)	DELAY TO ACTIVITY		PHYSICAL CONSEQUENCES ² (5)	AVAILABLE RECORDS OF PHYSICAL CONSEQUENCES ³ (6)
		START (3)	FINISH (4)		

Other cause(s) of delay ⁴

1. State if ongoing

2. For example:

- A. Postponed commencement
- B. Suspension of work
- C. Abortive work; give details
- D. Redeployment of resources from to.....
- E. Out of sequence working (i.e.before.....)
- F. Additional work

4. Please specify

3. Records, e.g. Daily Allocation Sheets, Sub-Contractors' On-Site Sheets, Site Diary, Daywork Records, Photographs, CCTV, etc.

4. Please specify

SCHEDULE 2 - LATE INFORMATION

SCHEDULE 2 - LATE INFORMATION				INFORMATION ISSUE				Activity/Activities Affected	
(1)	(2)	Nature of Information (3)	Date of Request (4)	Manner of Request (5)	Nature of Issue (6)	Date Required (7)	Date Received (8)	Days Late (9)	(10)
ITEM NO. (1)	SCHED.1 REF.NO (2)			Contractor's letter reference W/MG/10596/45 email of 11th October 2021 to the architect	Architect's Sketch 2074 issued under cover of A.I. No. 8 dated 26th October 2021	20.10.21	27.10.21	7 days	1. Brickwork along gridline 'F' 2. Roof carpentry
24	55			Contractor's RFI42 dated 9th October 2021.	COW's Direction 49 dated 5th November 2006	23.10.21	05.11.21	13 days	1. Roof carpentry
		junction between the prefabricated timber roof trusses and the insitu hip rafters on Block A							
26	75	The detail for the flashing of the parapet gutter along gridline 'C' on Block A	07.11.21	Contractor's RFI 51 dated 7th November 2021.	Architect's Sketch 2076 issued under cover of AI No. 13 dated 9th January 2022	02.01.22	10.01.22	8 days	1. Brickwork to the parapet wall along gridline 'C' on Block A 2. Leadwork to parapet gutter along gridline 'C' on Block A 3. Roof covering to hip roof adjacent to gridline 'C' on Block A

SCHEDULE 2 - LATE INFORMATION

ITEM NO	SCHED 1 REF NO.				INFORMATION ISSUE	Activity/Activities Affected	
(1)	(2)	INFORMATION REQUEST					
24	55	TI sc ui ea gr	Nature of Information (3)	Date of Request (4)	Manner of Request (5)		
			Detail for the soldier course to underside of eaves along gridline 'F'	26.10.21	Contractor's letter reference BBW/MG/10596/45 by email of 6th October 2021 to the Architect		
25	60	TI ju th ti tr in oi					
26	75	TI th th	gutter along gridline 'C' on Block A		dated 9th January 2022		2. Leadwork to parapet gutter along gridline 'C' on Block A 3. Roof covering to hip roof adjacent to gridline 'C' on Block A

SCHEDULE 2 - LATE INFORMATION

ITEM NO	SCHED 1 REF NO.	INFORMATION REQUEST				Activity/Activities Affected
INFORMATION ISSUE						(10)
		Nature of Issue (6)	Date Required (7)	Date Received (8)	Days Late (9)	1. Brickwork along gridline 'F' 2. Roof carpentry
		Architect's Sketch 2074 issued under cover of A.I. No. 8 dated 26th October 2021	20.10.21	27.10.21	7 days	1. Roof carpentry
		the parapet gutter along gridline 'C' on Block A	November 2021.	cover of AI No. 13 dated 9th January 2022		1. Brickwork to the parapet wall along gridline 'C' on Block A 2. Leadwork to parapet gutter along gridline 'C' on Block A 3. Roof covering to hip roof adjacent to gridline 'C' on Block A

SCHEDULE 2 - LATE INFORMATION

ITEM NO	SCHED 1 REF NO.	INFORMATION REQUEST			INFORMATION ISSUE				
		Nature of Information	Date of Request	Manner of Request	Nature of	Date			
(1)	(2)	(3)	(4)	(5)	ACTIVITY/ACTIVITIES AFFECTED (10)				(6)
24	55	The detail for the soldier course to underside of eaves along gridline 'F'	26.10.21	Contractor's letter reference BBW/MG/10596/ by email of 6th October 2021 to Architect	1. Brickwork along gridline 'F' 2. Roof carpentry				along entry
25	60	The detail for the junction between the prefabricated timber roof trusses and the insitu hip rafters on Block A	09.10.21	Contractor's RFI dated 9th October 2021.					dated 9th November 2021
26	75	The detail for the flashing of the parapet gutter along gridline 'C' on Block A	07.11.21	Contractor's RFI 51 dated 7th November 2021.	Architect's Sketch 2076 issued under cover of AI No. 13 dated 9th January 2022	02.01.22	10.01.22	8 days	1. Brickwork to the parapet wall along gridline 'C' on Block A 2. Leadwork to parapet gutter along gridline 'C' on Block A 3. Roof covering to hip roof adjacent to gridline 'C' on Block A

SCHEDULE 1 - CAUSE OF DELAY

ITEM NO. (1)	CAUSE OF DELAY (2)	ESTIMATED DELAY TO OVERALL COMPLETION (Calendar Days) (8)	NOTIFICATION	
			1. Date(s) 2. Reference(s) 3. Clause Numbers(s)	
			CLAUSE 25 (9)	CLAUSE 26 (10)
55	<u>The Contractor not having received in due time necessary instructions, drawings, details and levels by way of the detail for the soldier course to underside of eaves along gridline 'F', item 24 on Schedule 2 refers.</u>			
56				

Schedule 1 – 1st pass – by QS/Project Manager as/when actual/potential cause of delay first comes to his/her attention i.e. daily.

SCHEDULE 1 - CAUSE OF DELAY

ITEM NO. (1)	CAUSE OF DELAY (2)	ACTIVITY/ACTIVITIES AFFECTED LIKELY TO BE AFFECTED	DELAY TO ACTIVITY /ACTIVITIES	DELAY TO ACTIVITY/ACTIVITIES (Working Days)	PHYSICAL CONSEQUENCES	ESTIMATED DELAY TO OVERALL COMPLETION (Calendar Days) (8)	NOTIFICATION	
							1. Date(s)	2. Reference(s)
							CLAUSE 25	CLAUSE 26
							(9)	(10)
55	The Contractor not having received in due time necessary instructions, drawings, details and levels by way of the detail for the soldier course to underside of eaves along gridline 'F', item 24 on Schedule 2 refers.							

56

**Excel – cause of delay in standard phraseology terms – i.e. select from menu in terms of clauses 2.29 and 4.22 and insert relevant particulars.
e.g. cl. 2.29.7: “any impediment, prevention or default, whether by act or omission, by the Employer, the Architect/Contract Administrator...”**

SCHEDULE 1 - CAUSE OF DELAY

ITEM NO.	CAUSE OF DELAY	ACTIVITY/ACTIVITIES AFFECTED LIKELY TO BE AFFECTED (3)	DELAY TO ACTIVITY /ACTIVITIES	DELAY TO ACTIVITY/ ACTIVITIES	PHYSICAL CONSEQUENCES	ESTIMATED DELAY TO OVERALL COMPLETION (Calendar Days)	NOTIFICATION		
							1. Date(s) 2. Reference(s) 3. Clause Numbers(s)	CLAUSE 25	CLAUSE 26
(1)	(2)				(7)	(8)	(9)	(10)	
55	The Contractor not having received in due time necessary instructions, drawings, details and levels by way of the detail for the soldier course to underside of eaves along gridline 'F'; item 24 on Schedule 2 refers.	<p>1. Final lift of brickwork along gridline 'F'</p> <p>2. Roof carpentry</p>							
56	<p>Why do the necessary records not exist? – often because the person who would appreciate the need for a record (QS or Project Manager) does not alert the person best able to keep the record (Foreman, Site Engineer).</p>								
57									

SCHEDULE 1 - CAUSE OF DELAY

ITEM NO.	CAUSE OF DELAY	ACTIVITY/ACTIVITIES AFFECTED LIKELY TO BE AFFECTED (3)	DELAY TO ACTIVITY /ACTIVITIES	DELAY TO ACTIVITY/ ACTIVITIES	PHYSICAL CONSEQUENCES	ESTIMATED DELAY TO OVERALL COMPLETION (Calendar Days)	NOTIFICATION	
							1. Date(s) 2. Reference(s) 3. Clause Numbers(s)	CLAUSE 25
(1)	(2)				(7)	(8)	(9)	(10)
55	The Contractor not having received in due time necessary instructions, drawings, details and levels by way of the detail for the soldier course to underside of eaves along gridline 'F'; item 24 on Schedule 2 refers.	<p>1. Final lift of brickwork along gridline 'F'</p> <p>2. Roof carpentry</p>						
56	<p>The circulation list – a problem for which we are entitled to compensation is coming your way – please keep a record on SRDD of how it affects you.</p>							
57								

SCHEDULE 1 - CAUSE OF DELAY

ITEM NO.	CAUSE OF DELAY	ACTIVITY/ACTIVITIES AFFECTED LIKELY TO BE AFFECTED (3)	DELAY TO ACTIVITY /ACTIVITIES	DELAY TO ACTIVITY/ ACTIVITIES	PHYSICAL CONSEQUENCES	ESTIMATED DELAY TO OVERALL COMPLETION (Calendar Days)	NOTIFICATION		
							1. Date(s) 2. Reference(s) 3. Clause Numbers(s)	CLAUSE 25 (9)	CLAUSE 26 (10)
(1)	(2)				(7)	(8)			
55	The Contractor not having received in due time necessary instructions, drawings, details and levels by way of the detail for the soldier course to underside of eaves along gridline 'F'; item 24 on Schedule 2 refers.	<p>1. Final lift of brickwork along gridline 'F'</p> <p>2. Roof carpentry</p>							
56	<p>Person completing 'circulation list' needs broad appreciation of the construction process e.g. impact on common facilities – impact upon parallel trades – impact on Health and Safety Plan.</p>								
57									

SUMMARY RECORD OF DELAY AND DISRUPTION

DATE 23rd October 2021

ACTIVITY Brickwork

SHEET 8

SUPERVISOR Fred Smith

ITEM NO (1)	CAUSE OF DELAY (2)	DELAY TO ACTIVITY		PHYSICAL CONSEQUENCES ² (5)	AVAILABLE RECORDS OF PHYSICAL CONSEQUENCES ³ (6)
		START (3)	FINISH ¹ (4)		
55	The Contractor not having received in due time necessary instructions, drawings, details and levels by way of the detail for the soldier course to underside of eaves along gridline 'F'; item 24 on Schedule 2 refers.				
	Other cause(s) of delay ⁴				

1. State if ongoing

2. For example:

- A. Postponed commencement
- B. Suspension of work
- C. Abortive work; give details
- D. Redeployment of resources from to.....
- E. Out of sequence working (i.e.before.....)
- F. Additional work

3. Records, e.g. Daily Allocation Sheets, Sub-Contractors' On-Site Sheets, Site Diary, Daywork Records, Photographs CCTV etc.

4. Please specify

SUMMARY RECORD OF DELAY AND DISRUPTION

DATE 23rd October 2021

SHEET 8

SUPERVISOR Fred Smith

ITEM NO (1)	CAUSE OF DELAY (2)	ACTIVITY Brickwork			CONSEQUENCES ² AVAILABLE RECORDS OF PHYSICAL CONSEQUENCES ³ (6)
55	The Contractor not having received in due time necessary instructions, drawings, details and levels by way of the detail for the soldier course to underside of eaves along gridline 'F'; item 24 on Schedule 2 refers.				
	Other cause(s) of delay ⁴				

1. State if ongoing
2. For example:
 - A. Postponed commencement
 - B. Suspension of work
 - C. Abortive work; give details
 - D. Redeployment of resources from to.....
 - E. Out of sequence working (i.e.before.....)
 - F. Additional work

3. Records, e.g. Daily Allocation Sheets, Sub-Contractors' On-Site Sheets, Site Diary, Daywork Records, Photographs CCTV etc.
4. Please specify

NEW LEISURE CENTRE FOR BLACK FOREST DISTRICT COUNCIL
SUMMARY RECORD OF DELAY AND DISRUPTION

6A

DATE 23rd October 2021

ACTIVITY Brickwork

SUPERVISOR Fred Smith

ITEM NO (1)	CAUSE OF DELAY (2)	DELAY TO ACTIVITY		PHYSICAL (5)	AVAILABLE RECORDS OF PHYSICAL CONSEQUENCES (6)
		START (3)	FINISH ¹ (4)		
55	The Contractor not having received in due time necessary instructions, drawings, details and levels by way of the detail for the soldier course to underside of eaves along gridline 'F'; item 24 on Schedule 2 refers.				
	Other cause(s) of delay ⁴				



1. State if ongoing
2. For example:
 - A. Postponed commencement
 - B. Suspension of work
 - C. Abortive work; give details
 - D. Redeployment of resources from to.....
 - E. Out of sequence working (i.e.before.....)
 - F. Additional work

3. Records, e.g. Daily Allocation Sheets, Sub-Contractors' On-Site Sheets, Site Diary, Daywork Records, Photographs CCTV etc.
4. Please specify

ITEM NO (1)	CAUSE OF DELAY (2)	DELAY TO ACTIVITY		PHYSICAL CONSEQUENCES ² (5)	AVAILABLE RECORDS OF PHYSICAL CONSEQUENCES ³ (6)
		START (3)	FINISH ¹ (4)		
55	The Contractor not having received in due time necessary instructions, drawings, details and levels by way of the detail for the soldier course to underside of eaves along gridline 'F'; item 24 on Schedule 2 refers.				
	Other cause(s) of delay ⁴				

1. State if ongoing
2. For example:
 - A. Postponed commencement
 - B. Suspension of work
 - C. Abortive work; give details
 - D. Redeployment of resources from to.....
 - E. Out of sequence working (i.e.before.....)
 - F. Additional work

3. Records, e.g. Daily Allocation Sheets, Sub-Contractors' On-Site Sheets, Site Diary, Daywork Records, Photographs CCTV etc.
4. Please specify

SUMMARY RECORD OF DELAY AND DISRUPTION

DATE 23rd October 2021

ACTIVITY Brickwork

SHEET 8

SUPERVISOR Fred Smith

ITEM NO (1)	CAUSE OF DELAY (2)	DELAY TO ACTIVITY		PHYSICAL CONSEQUENCES ² (5)	AVAILABLE RECORDS OF PHYSICAL CONSEQUENCES ³ (6)
		START (3)	FINISH ¹ (4)		
55	Th in dr: of un ite	ITEM NO. (1)		CAUSE OF DELAY (2)	
	(C	55		<p>The Contractor not having received in due time necessary instructions, drawings, details and levels by way of the detail for the soldier course to underside of eaves along gridline 'F', item 24 on Schedule 2 refers.</p>	

1. Sta

2. For

A. I

B. :

C. Additional work, give details

D. Redeployment of resources from to.....

E. Out of sequence working (i.e.before.....)

F. Additional work

Location Sheets,
-Site Sheets, Site
rds, Photographs

SUMMARY RECORD OF DELAY AND DISRUPTION

DATE 23rd October 2021

ACTIVITY Brickwork

SHEET 8

SUPERVISOR Fred Smith

ITEM NO (1)	CAUSE OF DELAY	DELAY TO ACTIVITY FINISH 1		PHYSICAL CONSEQUENCES ²	AVAILABLE RECORDS OF PHYSICAL CONSEQUENCES ³
55	The contractor received instructions and levelled the soil before the contractor leaves a on Schedule	DELAY TO ACTIVITY		PHYSICAL ² CONSEQUENCES	
		START (3)	FINISH ¹ (4)	(5)	(6)
	Other cause(s) of delay ⁴				

1. State if ongoing

2. For example:

- A. Postponed commencement
- B. Suspension of work
- C. Abortive work; give details
- D. Redeployment of resources from to.....
- E. Out of sequence working (i.e.before.....)
- F. Additional work

3. Records, e.g. Daily Allocation Sheets, Sub-Contractors' On-Site Sheets, Site Diary, Daywork Records, Photographs CCTV etc.

4. Please specify

NEW LEISURE CENTRE FOR BLACK FOREST DISTRICT COUNCIL
SUMMARY RECORD OF DELAY AND DISRUPTION

6B

DATE 23rd October 2021

ACTIVITY Carpentry

SHEET 2

SUPERVISOR George Edwards

ITEM NO (1)	CAUSE OF DELAY (2)	ACTIVITY Carpentry	SHEET 2	SHEET 2	SUPERVISOR George Edwards
55	The Contractor not having received in due time necessary instructions, drawings, details and levels by way of the detail for the soldier course to underside of eaves along gridline 'F'; item 24 on Schedule 2 refers.				
	Other cause(s) of delay ⁴				

1. State if ongoing

2. For example:

- A. Postponed commencement
- B. Suspension of work
- C. Abortive work; give details
- D. Redeployment of resources from to.....
- E. Out of sequence working (i.e.before.....)
- F. Additional work

3. Records, e.g. Daily Allocation Sheets, Sub-Contractors' On-Site Sheets, Site Diary, Daywork Records, Photographs CCTV etc.

4. Please specify

DATE 23rd October 2021

ACTIVITY Brickwork

SHEET

SUPERVISOR Fred Smith

ITEM NO	DELAY TO ACTIVITY		PHYSICAL CONSEQUENCES ²
	START (3)	FINISH ¹ (4)	
55	23.10.21	26.10.21	Suspension of brickwork to soldier course along gridline 'F'; 2:1 gang standing

1. State if ongoing

3. Records, e.g. Daily Allocation Sheets, Sub-Contractors' On-Site Sheets, Site Diary, Daywork Records, Photographs CCTV etc.

4. Please specify

Date upon which the absence of the necessary details became an effective cause of delay cf 20.10.21 on Schedule 2

DATE 23rd October 2021

ACTIVITY Brickwork

SHEET 8

SUPERVISOR Fred Smith

ITEM NO	CAUSE OF DELAY			AVAILABLE RECORDS OF PHYSICAL CONSEQUENCES ³
(1)	DELAY TO ACTIVITY		PHYSICAL CONSEQUENCES ²	
55	START (3)	FINISH ¹ (4)	(5)	
	23.10.21	26.10.21	Suspension of brickwork to soldier course along gridline 'F'; 2:1 gang standing	

1. State if ongoing

2. For example:

A. Postponed commencement

Records, e.g. Daily Allocation Sheets, Sub-Contractors' On-Site Sheets, Site Diary, Daywork Records, Photographs, CCTV etc

Required details received early 27.10.21 therefore not an effective cause of delay after 26.10.21, however, if details received late on 27.10.21 cause of delay would finish on 27.10.21

DATE 23rd October 2021

ACTIVITY Brickwork

SHEET 8

SUPERVISOR Fred Smith

ITEM NO	CAUSE OF DELAY		2	AVAILABLE RECORDS OF PHYSICAL CONSEQUENCES 3
	(1)			
55	DELAY TO ACTIVITY		PHYSICAL CONSEQUENCES 2	
	START (3)	FINISH 1 (4)	(5)	
	23.10.21	26.10.21	Suspension of brickwork to soldier course along gridline 'F'; 2:1 gang standing	

2. For example:

- A. Postponed commencement
- B. Suspension of work
- C. Abortive work; give details
- D. Redeployment of resources from to.....
- E. Out of sequence working (i.e.before.....)
- F. Additional work

Entry in (5) could be codified e.g. " B and D, GL'F' to manholes"

SUMMARY RECORD OF DELAY AND DISRUPTION

DATE 23rd October 2021

ACTIVITY Brickwork

SHEET 8

SUPERVISOR Fred Smith

ITEM NO (1)	CAUSE OF DELAY (2)	DELAY TO ACTIVITY	PHYSICAL CONSEQUENCES ² (6)
55	The Contractor not having received in due time necessary instructions, drawings, details and levels by way of the detail for the soldier course to underside of eaves along gridline 'F'; item 24 on Schedule 2 refers.		C.Adams Daily Allocations Sheets for week endings 28/10/21, daywork Sheet No.12a and progress photographs taken on 27/10/21.
	Other cause(s) of delay ⁴	24	

1. State if ongoing

2. For example:

- A. Postponed commencement
- B. Suspension of work
- C. Abortive work; give details
- D. Redeployment of resources from
- E. Out of sequence working (i.e.)
- F. Additional work

3. Records, e.g. Daily Allocation Sheets,

Completed by Jnr QS/Clerk. Correlate other available evidence/ records in support of the entries into (3), (4) and (5)

SUMMARY RECORD OF DELAY AND DISRUPTION

DATE 23rd October 2021

ACTIVITY Brickwork

SHEET 2

SUPERVISOR Fred Smith

ITEM NO (1)	CAUSE OF DELAY (2)	DELAY TO ACTIVITY		PHYSICAL CONSEQUENCES (5)
		START (3)	FINISH ¹ (4)	
	COW's Direction to not lay bricks when air temperature below 2°C (spec says 1°C)	24.10.21	06.11.21 (ongoing)	Bricklayers standing until air temperature 2°C and finishing when below 2°C

1. Start of delay

2. For example:

- A. Postponed commencement
- B. Suspension of work
- C. Abortive work; give details
- D. Redeployment of resources from to.....
- E. Out of sequence working (i.e.before.....)
- F. Additional work

3. Records, e.g. Daily Allocation Sheets, Sub-Contractors' On-Site Sheets, Site Diary, Daywork Records, Photographs CCTV etc.

4. Please specify

SCHEDULE 1 – CAUSE OF DELAY

(1)	(2)	ACTIVITY/ ACTIVITIES AFFECTED LIKELY TO BE AFFECTED	DELAY TO ACTIVITY /ACTIVITIES		DELAY TO ACTIVITY/ ACTIVITIES (Working Days)	PHYSICAL CONSEQUENCES	ESTIMATED DELAY TO OVERALL COMPLETION (Calendar Days)	NOTIFICATION			
			STARTED (4)	FINISHED (5)				CLAUSE 2.27 (9)	CLAUSE 4.23 (10)		
55	The hav tim inst det way sol und alor 24 c refe	ITEM NO. (1)	CAUSE OF DELAY (2)								
55A	CO lay tem (spe										
56	Givin Arch way requi of a s unde purpose made blue engineering bricks; Sketch 2074 issued under cover of Architect’s Instruction No. 58 dated 26th October 2021 refers.										
						concrete foundations. 1.3 Bricklayers reduced productivity working to Sketch 2074. 2.1 Carpenters reduced productivity awaiting completion of brickwork					

SCHEDULE 1 – CAUSE OF DELAY

ITEM NO.	CAUSE OF DELAY	ACTIVITY/ ACTIVITIES AFFECTED LIKELY TO BE AFFECTED	DELAY TO ACTIVITY /ACTIVITIES		DELAY TO ACTIVITY/ ACTIVITIES (Working Days)	PHYSICAL CONSEQUENCES	ESTIMATED DELAY TO OVERALL COMPLETION (Calendar Days)	NOTIFICATION	
			STARTED	FINISHED				1. Date(s)	2. Reference(s)
		ACTIVITY/ ACTIVITIES AFFECTED LIKELY TO BE AFFECTED (3)	DELAY TO ACTIVITY /ACTIVITIES		DELAY TO ACTIVITY/ ACTIVITIES (Working Days) (6)	PHYSICAL CONSEQUENCES (7)			
			STARTED (4)	FINISHED (5)					
2.	Roof Carpentry		25.10.21	31.10.21	5 days	2. Carpenters (2) waiting to fix wall plate re-deployed to general site tidying			
	refer.					2.1 Carpenters reduced productivity awaiting completion of brickwork			

SCHEDULE 1 – CAUSE OF DELAY

ITEM NO.	CAUSE OF DELAY	ACTIVITY/ ACTIVITIES AFFECTED LIKELY TO BE AFFECTED	DELAY TO ACTIVITY /ACTIVITIES		DELAY TO ACTIVITY/ ACTIVITIES (Working Days)	PHYSICAL CONSEQUENCES	ESTIMATED DELAY TO OVERALL COMPLETION (Calendar Days)	NOTIFICATION	
			STARTED	FINISHED				CLAUSE	CLAUSE
	(2)							2 27	4 23
55	The Contract having received necessary instructions, details and layout of the soldier course underside of wall along gridline 24 on Schedule 24 on Schedule refers.								
		ITEM NO.	CAUSE OF DELAY			ACTIVITY/ ACTIVITIES AFFECTED/ LIKELY TO BE AFFECTED			
		(1)	(2)			(3)			
55A	COW's Direction to not lay brick when air temperature below 2°C (spec says 1°C)	55A	COW's Direction to not lay brick when air temperature below 2°C (spec says 1°C)			1. Brickwork			
56	Giving effect to Architect's Instruction No. 58 dated 26th October 2021 referring to the underside of external wall purpose made blue engineering bricks; Sketch 2074 issued under cover of Architect's Instruction No. 58 dated 26th October 2021 refers.					hours waiting for concrete foundations. 1.3 Bricklayers reduced productivity working to Sketch 2074. 2.1 Carpenters reduced productivity awaiting completion of brickwork			

SCHEDULE 1 – CAUSE OF DELAY

ITEM NO.	CAUSE OF DELAY		ACTIVITY/ACTIVITIES AFFECTED LIKELY TO BE AFFECTED	DELAY TO ACTIVITY /ACTIVITIES	DELAY TO ACTIVITY/ACTIVITIES	PHYSICAL CONSEQUENCES	ESTIMATED DELAY TO OVERALL COMPLETION (Calendar)	NOTIFICATION	
	STARTED	FINISHED						1. Date(s)	2. Reference(s)
	DELAY TO ACTIVITY /ACTIVITIES			DELAY TO ACTIVITY/ACTIVITIES (Working Days)		PHYSICAL CONSEQUENCES		CAUSE .27 (9)	CLAUSE 4.23 (10)
	(4)	(5)		(6)		(7)			
5	24.10.21	06.11.21 (ongoing)				1. Bricklayers standing until air temperature at 2°C and finishing when below 2°C			
5			engineering bricks, Sketch 2074 issued under cover of Architect's Instruction No. 58 dated 26th October 2021 refers.			concrete foundations. 1.3 Bricklayers reduced productivity working to Sketch 2074. 2.1 Carpenters reduced productivity awaiting completion of brickwork			

SCHEDULE 1 - CAUSE OF DELAY

ITEM NO.	CAUSE OF DELAY	ACTIVITY/ ACTIVITIES AFFECTED LIKELY TO BE AFFECTED	DELAY TO ACTIVITY /ACTIVITIES		DELAY TO ACTIVITY/ ACTIVITIES (Working Days)	PHYSICAL CONSEQUENCES	ESTIMATED DELAY TO OVERALL COMPLETION (Calendar Days)	NOTIFICATION	
			STARTED	FINISHED				1. Date(s)	2. Reference(s)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	CLAUSE 2.27	CLAUSE 4.23
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
55	The Contractor not having received in due time necessary instructions, drawings, details and levels by way of the detail for the soldier course to underside of eaves along gridline 'F'; item 24 on Schedule 2 refers.	1. Final lift of brickwork along gridline 'F'	23.10.21	26.10.21					
		2. Roof Carpentry	25.10.21	31.10.21	5 days				1.24.10.21 2.BBW/MG /10596/63 3. 26.2.1.1 16.2.1.2
						site tidying			
55A	COW's Direction to not lay brick when air temperature below 2° C (spec says 1° C)	1. Brickwork	24.10.21	06.11.21 (ongoing)	10 days	1. Bricklayers standing until air temperature at 2° C and finishing when below 2° C	2 days	1.13.11.21 2.BBW/MG 10596/83 3. 25.4.5.1	1.13.11.21 2.BBW/MG 10596/83 3. 26.2.7
56	Giving effect to the Architect's Instruction by way of a Variation requiring the construction of a soldier course to underside of eaves using purpose made blue engineering bricks; Sketch 2074 issued under cover of Architect's Instruction No. 58 dated 26th October 2021 refers.	1. Brickwork along gridline 'F'	27.10.21	08.12.21	31 days	1.1 Delivery of purpose made blue engineering bricks took 26 days. 1.2 Gang (2:1) re-deployed to Block B footings; standing 8.5 hours waiting for concrete foundations. 1.3 Bricklayers reduced productivity working to Sketch 2074.			1.30.10.21 2.BBW/MG 10596/67 3.26.2.7
		2. Roof Carpentry	04.12.21	08.12.21	3 days	2.1 Carpenters reduced productivity awaiting completion of brickwork			

SCHEDULE 1 - CAUSE OF DELAY

ITEM NO.	CAUSE OF DELAY	ACTIVITY/ ACTIVITIES AFFECTED LIKELY TO BE AFFECTED	DELAY TO ACTIVITY /ACTIVITIES		DELAY TO ACTIVITY/ ACTIVITIES (Working Days)	PHYSICAL CONSEQUENCES	ESTIMATED DELAY TO OVERALL COMPLETION (Calendar Days)	NOTIFICATION	
			STARTED	FINISHED				CLAUSE 2.27	CLAUSE 4.23
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
55	The Contractor not having received in due time necessary instructions, drawings, details and levels by way of the detail for the soldier course to underside of eaves along gridline 'F'; item 24 on Schedule 2 refers.	1. Final lift of brickwork along gridline 'F' 2. Roof Carpentry	23.10.21 25.10.21	26.10.21 31.10.21	2 days 5 days	1. Suspension of brickwork to soldier course along gridline 'F' 2:1 gang standing 2. Carpenters(2) waiting to fix wall plate re-deployed to general site tidying			1.24.10.21 2.BBW/MG /10596/63 3. 26.2.1.1 16.2.1.2
55A	COW's Direction to not lay brick when air temperature below 2° C (spec says 1° C)	1. Brickwork	24.10.21	06.11.21 (ongoing)	10 days	1. Bricklayers standing until air temperature at 2°C and finishing when	2 days	1.13.11.21 2.BBW/MG 10596/83 3. 25.4.5.1	1.13.11.21 2.BBW/MG 10596/83 3. 26.2.7
56	Giving effect to the Architect's Instruction by way of a Variation requiring the construction of a soldier course to underside of eaves using purpose made blue engineering bricks; Sketch 2074 issued under cover of Architect's Instruction No. 58 dated 26th October 2021 refers.	1. Brickwork along gridline 'F' 2. Roof Carpentry	27.10.21 04.12.21	05.11.21 08.12.21	10 days 10 days	1.3 Bricklayers reduced productivity working to Sketch 2074. 2.1 Carpenters reduced productivity awaiting completion of brickwork	10 days 10 days		1.30.10.21 2.BBW/MG 10596/67 3.26.2.7

**STARTED
(4)**

27.10.21

DELAY TO ACTIVITY/ ACTIVITIES (Working Days) (6)		PHYSICAL CONSEQUENCES (7)					NOTIFICATION 1. Date(s) 2. Reference(s) 3. Clause Numbers(s)		
							ED O L I O N r	CLAUSE 2.27 (9)	CLAUSE 4.23 (10)
31 days	1.1 Delivery of purpose made blue engineering bricks took 26 days. 1.2 Gang (2:1) re-deployed to Block B footings; standing 8.5 hours waiting for concrete foundations. 1.3 Bricklayers reduced productivity working to Sketch 2074.						1.24.10.21 2.BBW/MG /10596/63 3. 26.2.1.1 16.2.1.2		
56 Giving effect to the Architect's Instruction by way of a Variation requiring the construction of a soldier course to underside of eaves using purpose made blue engineering bricks; Sketch 2074 issued under cover of Architect's Instruction No. 58 dated 26th October 2021 refers.	1.Brickwork along gridline 'F' 2. Roof Carpentry	27.10.21 04.12.21	08.12.21 08.12.21	31 days 3 days	2.1 Carpenters reduced productivity awaiting completion of brickwork		1.13.11.21 2.BBW/MG 10596/83 3. 25.4.5.1	1.13.11.21 2.BBW/MG 10596/83 3. 26.2.7	

RECORD KEEPING FOR COMPENSATION EVENTS UNDER NEC4

NEC4 - REVISING THE PROGRAMME

Clause 32.1 provides:

The Contractor shows on each revised programme

- the actual progress achieved on each operation and its effect upon the timing of the remaining work,
- how the Contractor plans to deal with any delays and to correct notified Defects and
- any other changes which the Contractor proposes to make to the Accepted Programme.

NEC4 - COMPENSATION EVENTS

The following events are compensation events – in summary:

- (1) **Changes to the Scope** instructed by the *Project Manager*.
- (2) The *Client* **not giving access**.
- (3) The *Client* **not providing something** which it is to provide.
- (4) The *Project Manager's* **instruction to stop** or not to start any work.
- (5) The *Client* or Others **not working to the Accepted Programme/Scope**.

NEC4 - COMPENSATION EVENTS

- (6) The *Project Manager* or the *Supervisor* does not reply to a communication within the period required by the contract.
- (7) *Project Manager's* instructions for dealing with an object of value or of historical or other interest.
- (8) The *Project Manager* or the *Supervisor* changes a decision which either has previously communicated to the *Contractor*.

NEC4 - COMPENSATION EVENTS

- (9) The *Project Manager* withholds an acceptance for a reason not stated in the contract.
- (10) Searching for Defects and no Defect is found.
- (11) A test or inspection done by the *Supervisor* causes unnecessary delay.

NEC4 - COMPENSATION EVENTS

- (12) **Physical conditions.**
- (13) **Weather** event.
- (14) An event which is a **Client's liability.**
- (15) The *Project Manager* certifies **take over** of a part of the *works* before Completion.
- (16) The **Client does not provide materials, facilities and samples for tests and inspections** as stated in the Scope.
- (17) The *Project Manager* notifies the *Contractor* of a **correction to an assumption** which the *Project Manager* stated about a compensation event.
- (18) A **breach of contract by the Client** which is not one of the other compensation events in the contract.

NEC4 - COMPENSATION EVENTS

- (19) **Force majeure** type event
- (20) The *Project Manager* notifies the *Contractor* that a **quotation for a proposed instruction is not accepted**.
- (21) **Additional compensation events** stated in Contract Data part one.

NEC4 - NOTIFYING COMPENSATION EVENTS

Clause 61.1 provides:

For a compensation event which arises from the Project Manager or the Supervisor giving an instruction or notification, issuing a certificate or changing an earlier decision, the **Project Manager notifies the Contractor of the compensation event at the time of that communication.**

NEC4 - NOTIFYING COMPENSATION EVENTS

Clause 61.3 provides:

The Contractor notifies the Project Manager of an event which has happened or which is expected to happen as a compensation event if

- the Contractor believes that the event is a compensation event and
- the Project Manager has not notified the event to the Contractor.

If the Contractor does not notify a compensation event **within eight weeks of becoming aware that the event has happened**, the Prices, the Completion Date or a Key Date are not changed unless the event arises from the Project Manager or the Supervisor giving an instruction or notification, issuing a certificate or changing an earlier decision.

NEC4 - NOTIFYING COMPENSATION EVENTS

Clause 62.2 provides:

Quotations for a compensation event comprise proposed changes to the Prices and any delay to the Completion Date and Key Dates assessed by the Contractor. **The Contractor submits details of the assessment with each quotation.** If the programme for remaining work is altered by the compensation event, the Contractor includes the alterations to the Accepted Programme in the quotation.

NEC4 - QUOTATIONS FOR COMPENSATION EVENTS

Clause 62.3 provides, *inter alia*:

The Contractor submits quotations **within three weeks** of being instructed to do so by the Project Manager...

NEC4 - ASSESSING COMPENSATION EVENTS

Clause 63.1 provides:

The change to the Prices is assessed as the effect of the compensation event upon

- the **actual** Defined Cost* of the work **done** by the **dividing date**,
- the **forecast** Defined Cost of the work **not done** by the **dividing date** and
- the resulting Fee.

*Defined Cost is the cost of the components in the Short Schedule of Cost Components.

NEC4 - ASSESSING COMPENSATION EVENTS

Clause 63.1 continued:

For a compensation event that arises from the *Project Manager or the Supervisor* giving an instruction or notification, issuing a certificate or changing an earlier decision, the **dividing date is the date of that communication.**

For **other** compensation events, the **dividing date is the date of the notification of the compensation event.**

NEC4 - ASSESSING COMPENSATION EVENTS

Clause 63.15 (**Option B**) provides:

Assessments for changed Prices for compensation events are in the form of changes to the Bill of Quantities.

For the whole or a part of a compensation event for **work not yet done** and for which there is an item in the Bill of Quantities, the changes are

- a changed rate,
- a changed quantity or
- a changed lump sum.

NEC4 - ASSESSING COMPENSATION EVENTS

Clause 63.15 (**Option B**) continues:

For the whole or a part of a compensation event for **work not yet done** and for which there is no item in the Bill of Quantities, the change is a new priced item which, unless the Project Manager and the Contractor agree otherwise, is **compiled in accordance with the *method of measurement***.

For the whole or a part of a compensation event for **work already done**, the change is a new lump sum item.

NEC4 - ASSESSING COMPENSATION EVENTS

Clause 63.16 (**Option B**) provides:

If, when assessing a compensation event the People Rates do not include a rate for a **category of person required**, the Project Manager and Contractor may agree a new rates. If they do not agree the Project Manager assesses the rate based on the People Rates. The agreed or assessed rate becomes the People Rate for that category of person.

CESMM4

Section 7 provides *inter alia*:

- 7.2 A tenderer may insert in the **Bill of Quantities** such items for **Method-Related Charges** as he may decide to cover items of work relating to his intended method of executing the Works, the costs of which are not to be considered as proportional to the quantities of the other items and for which he has not allowed in the rates and prices for the other items.
- 7.6 Method-Related Charges shall not be subject to admeasurement but shall be **deemed to be prices for the purposes of valuing changes to the works** and revisions to rates as a consequence of a change in quantity arising from admeasurement.

CESMM4: Civil Engineering Standard Method of Measurement (Fourth edition)

CLASS A: GENERAL ITEMS

FIRST DIVISION	SECOND DIVISION	THIRD DIVISION	MEASUREMENT RULES	DEFINITION RULES	COVERAGE RULES	ADDITIONAL DESCRIPTION RULES
			M1 The unit of measurement for general items may be the sum, except where another unit of measurement is used in accordance with rule M2.			
1 Contractual requirements	1 Performance bond 2 Insurances 3 Parent company guarantee		M2 An item may be given for a Parent Company Guarantee where it is envisaged a tenderer may be a subsidiary of a larger company or group.		C1 Items for <i>insurances</i> classed as <i>contractual requirements</i>	
2 Specified requirements	1 Accommodation for the contract administrators	1 Offices 2 Laboratories 3 Cabins	M3 A quantity shall be given against all items for <i>specified requirements</i> of which the value is to be ascertained and determined by admeasurement. A unit of measurement shall be stated for each such item.	D1 All work other than the permanent works which is expressly stated in the contract to be carried out by the contractor and of which the nature and extent is expressly stated in the contract shall be classed as <i>specified requirements</i> .		A1 Item descriptions for work classed as <i>specified requirements</i> which is to be carried out after the date for completion shall so state. A2 Item descriptions for work classed as <i>specified requirements</i> shall distinguish between the establish and removal of services or facilities and their continuing operation or maintenance. A3 Item descriptions for <i>testing of materials</i> and <i>testing of the works</i> shall include particulars of samples and of methods of testing.
	2 Services for the contract administrators	1 Transport vehicles 2 Telephones				
	3 Equipment for use by the contract administrators	1 Office equipment 2 Laboratory equipment 3 Surveying equipment				
	4 Attendance upon the contract administrators	1 Drives 2 Chainmen 3 Laboratory assistants				
	5 Testing of materials 6 Testing of the Works		M4 Items shall be given in this class for all <i>testing</i> for which items are not given separately as set out in other classes.			
	7 Temporary Works	1 Traffic diversions 2 Traffic regulation 3 Access roads 4 Bridges 5 Cofferdams 6 Pumping 7 De-watering 8 Compressed air for tunnelling				

CESMM4: Civil Engineering Standard Method of Measurement (Fourth edition)

CLASS A: GENERAL ITEMS

FIRST DIVISION	SECOND DIVISION	THIRD DIVISION	MEASUREMENT RULES	DEFINITION RULES	COVERAGE RULES	ADDITIONAL DESCRIPTION RULES
			<p>M1 The unit of measurement for general items may be the sum, except where another unit of measurement is used in accordance with rule M2.</p>			
1 Contractual requirements	2 Company guarantee		<p>M2 An item may be given for a Parent Company Guarantee where it is envisaged a tenderer may be a subsidiary of a larger company or group.</p>		<p>C1 Items for <i>insurances</i> classed as <i>contractual requirements</i></p>	
2 Specified requirements	<p>1 Accommodation for the contract administrators</p> <p>2 Services for the contract administrators</p> <p>3 Equipment for use by the contract administrators</p> <p>4 Attendance upon the contract administrators</p> <p>5 Testing of materials</p> <p>6 Testing of the Works</p> <p>7 Temporary Works</p>	<p>1 Offices</p> <p>2 Laboratories</p> <p>3 Cabins</p> <p>1 Transport vehicles</p> <p>2 Telephones</p> <p>1 Office equipment</p> <p>2 Laboratory equipment</p> <p>3 Surveying equipment</p> <p>1 Drives</p> <p>2 Chainmen</p> <p>3 Laboratory assistants</p> <p>1 Traffic diversions</p> <p>2 Traffic regulation</p> <p>3 Access roads</p> <p>4 Bridges</p> <p>5 Cofferdams</p> <p>6 Pumping</p> <p>7 De-watering</p> <p>8 Compressed air for tunnelling</p>	<p>M3 A quantity shall be given against all items for <i>specified requirements</i> of which the value is to be ascertained and determined by admeasurement. A unit of measurement shall be stated for each such item.</p> <p>M4 Items shall be given in this class for all <i>testing</i> for which items are not given separately as set out in other classes.</p>	<p>D1 All work other than the permanent works which is expressly stated in the contract to be carried out by the contractor and of which the nature and extent is expressly stated in the contract shall be classed as <i>specified requirements</i>.</p>		<p>A1 Item descriptions for work classed as <i>specified requirements</i> which is to be carried out after the date for completion shall so state.</p> <p>A2 Item descriptions for work classed as <i>specified requirements</i> shall distinguish between the establish and removal of services or facilities and their continuing operation or maintenance.</p> <p>A3 Item descriptions for <i>testing of materials</i> and <i>testing of the works</i> shall include particulars of samples and of methods of testing.</p>

Specified requirements

CESMM4: Civil Engineering Standard Method of Measurement (Fourth edition)

CLASS A: GENERAL ITEMS

FIRST DIVISION	SECOND DIVISION	THIRD DIVISION	MEASUREMENT RULES	DEFINITION RULES	COVERAGE RULES	ADDITIONAL DESCRIPTION RULES
			M1 The unit of measurement for general items may be the sum, except where another unit of			
1 Contractual requirements	1 Performance bond 2 Insurances 3 Parent company guarantee		where it is envisaged a tenderer may be a subsidiary of a larger company or group.		C1 Items for <i>insurances</i> classed as <i>contractual requirements</i>	
2 Specified requirements	1 Accommodation for the contract administrators 2 Services for the contract administrators 3 Equipment for use by the contract administrators 4 Attendance upon the contract administrators 5 Testing of materials 6 Testing of the Works 7 Temporary Works	1 Offices 2 Laboratories 3 Cabins 1 Transport vehicles 2 Telephones 1 Office equipment 2 Laboratory equipment 3 Surveying equipment 1 Drives 2 Chainmen 3 Laboratory assistants 1 Traffic diversions 2 Traffic regulation 3 Access roads 4 Bridges 5 Cofferdams 6 Pumping 7 De-watering 8 Compressed air for tunnelling	M3 A quantity shall be given against all items for <i>specified requirements</i> of which the value is to be ascertained and determined by admeasurement. A unit of measurement shall be stated for each such item. M4 Items shall be given in this class for all <i>testing</i> for which items are not given separately as set out in other classes.	D1 All work other than the permanent works which is expressly stated in the contract to be carried out by the contractor and of which the nature and extent is expressly stated in the contract shall be classed as <i>specified requirements</i> .		A1 Item descriptions for work classed as <i>specified requirements</i> which is to be carried out after the date for completion shall so state. A2 Item descriptions for work classed as <i>specified requirements</i> shall distinguish between the establish and removal of services or facilities and their continuing operation or maintenance. A3 Item descriptions for <i>testing of materials</i> and <i>testing of the works</i> shall include particulars of samples and of methods of testing.

Accommodation for the contract administrators

CESMM4: Civil Engineering Standard Method of Measurement (Fourth edition)

CLASS A: GENERAL ITEMS

FIRST DIVISION	SECOND DIVISION	THIRD DIVISION	MEASUREMENT RULES	DEFINITION RULES	COVERAGE RULES	ADDITIONAL DESCRIPTION RULES
			<p>M1 The unit of measurement for general items may be the sum, except where</p>			
1 Contractual requirements	1 Performance bond 2 Insurances 3 Parent company guarantee		<p>when engaged a tenderer may be a subsidiary of a larger company or group.</p>		<p>C1 Items for <i>insurances</i> classed as <i>contractual requirements</i></p>	
2 Specified requirements	1 Accommodation for the contract administrators 2 Services for the contract administrators 3 Equipment for use by the contract administrators 4 Attendance upon the contract administrators 5 Testing of materials 6 Testing of the Works 7 Temporary Works	1 Offices 2 Laboratories 3 Cabins 1 Transport vehicles 2 Telephones 1 Office equipment 2 Laboratory equipment 3 Surveying equipment 1 Drives 2 Chainmen 3 Laboratory assistants 1 Traffic diversions 2 Traffic regulation 3 Access roads 4 Bridges 5 Cofferdams 6 Pumping 7 De-watering 8 Compressed air for tunnelling	<p>M3 A quantity shall be given against all items for <i>specified requirements</i> of which the value is to be ascertained and determined by admeasurement. A unit of measurement shall be stated for each such item.</p> <p>M4 Items shall be given in this class for all <i>testing</i> for which items are not given separately as set out in other classes.</p>	<p>D1 All work other than the permanent works which is expressly stated in the contract to be carried out by the contractor and of which the nature and extent is expressly stated in the contract shall be classed as <i>specified requirements</i>.</p>		<p>A1 Item descriptions for work classed as <i>specified requirements</i> which is to be carried out after the date for completion shall so state.</p> <p>A2 Item descriptions for work classed as <i>specified requirements</i> shall distinguish between the establish and removal of services or facilities and their continuing operation or maintenance.</p> <p>A3 Item descriptions for <i>testing of materials</i> and <i>testing of the works</i> shall include particulars of samples and of methods of testing.</p>

1 Offices
2 Laboratories
3 Cabins

CESMM4: Civil Engineering Standard Method of Measurement (Fourth edition)

CLASS A: GENERAL ITEMS

FIRST DIVISION	SECOND DIVISION	THIRD DIVISION	MEASUREMENT RULES	DEFINITION RULES	COVERAGE RULES	ADDITIONAL DESCRIPTION RULES
			M1 The unit of measurement for general items may be the sum, except where another unit of measurement is used in accordance with rule M2.			
1 Contractual requirements	1 Performance bond 2 Insurances 3 Parent company guarantee		M2 An item may be given for a Parent Company Guarantee where it is envisaged a tenderer may be a subsidiary of a larger company or group.		C1 Items for <i>insurances</i> classed as <i>contractual requirements</i>	
2 Specified requirements	1 Accommodation for the contract administrators	1 Offices 2 Laboratories 3 Cabins	M3 A quantity shall be given against all items for <i>specified requirements</i> of which the value is to be	D1 All work other than the permanent works which is expressly stated in the contract to be carried out by the contractor and of which the nature and extent is expressly stated in the contract shall be classed as <i>specified requirements</i> .		A1 Item descriptions for work classed as <i>specified requirements</i> which is to be carried out after the date for completion shall so state. A2 Item descriptions for work classed as <i>specified requirements</i> shall distinguish between the establish and removal of services or facilities and their continuing operation or maintenance. A3 Item descriptions for <i>testing of materials</i> and <i>testing of the works</i> shall include particulars of samples and of methods of testing.
	2 Services for the contract administrators	1 Transport vehicles				
	3 Equipment for use by the contract administrators					
	4 Attendance upon the contract administrators	3				
	5 Testing of materials 6 Testing of the Works					
	7 Temporary Works	1 Traffic diversions 2 Traffic regulation 3 Access roads 4 Bridges 5 Cofferdams 6 Pumping 7 De-watering 8 Compressed air for tunnelling	M4 Items shall be given in this class for all <i>testing</i> for which items are not given separately as set out in other classes.			

7 Temporary Works

CESMM4: Civil Engineering Standard Method of Measurement (Fourth edition)

CLASS A: GENERAL ITEMS

FIRST DIVISION	SECOND DIVISION	THIRD DIVISION	MEASUREMENT RULES	DEFINITION RULES	COVERAGE RULES	ADDITIONAL DESCRIPTION RULES
			M1 The unit of measurement for general items may be the sum, except where another unit of measurement is used in accordance with rule M2.			
1 Contractual requirements	1 Performance bond 2 Insurances 3 Parent company guarantee		M2 An item may be given for a Parent Company Guarantee where it is envisaged a tenderer may be a subsidiary of a larger company or group.		C1 Items for <i>insurances</i> classed as <i>contractual requirements</i>	
2 Specified requirements	1 Accommodation for the contract administrators	1 Offices 2 Laboratories 3 Cabins	M3 A quantity shall be given against all items for <i>specified requirements</i> of which the value is to be ascertained and determined by admeasurement. A unit of measurement shall be stated for each such item.	D1 All work other than the permanent works which is expressly stated in the contract to be carried out by the contractor and of which the nature and extent is expressly stated in the contract shall be classed as <i>specified requirements</i> .		A1 Item descriptions for work classed as <i>specified requirements</i> which is to be carried out after the date for completion shall so state. A2 Item descriptions for work classed as <i>specified requirements</i> shall distinguish between the establish and removal of services or facilities and their continuing operation or maintenance. A3 Item descriptions for <i>testing of materials</i> and <i>testing of the works</i> shall include particulars of samples and of methods of testing.
	2 Services for the contract administrators	1 Transport vehicles 2 Telephones				
	3 Equipment for use by the contract administrators	1 Office equipment 2 Laboratory equipment 3 Surveying equipment				
	4 Attendance upon the contract administrators	1 Drives 2 Chainmen 3 Laboratory assistants				
	5 Testing of materials 6 Testing of the Works		M4 Items shall be given in this class for all			
	7 Temporary Works	1 Traffic diversions 2 Traffic regulation 3 Access roads 4 Bridges 5 Cofferdams 6 Pumping 7 De-watering 8 Compressed air for tunnelling				

6 Pumping

CESMM4: Civil Engineering Standard Method of Measurement (Fourth edition)

CLASS A: GENERAL ITEMS

FIRST DIVISION	SECOND DIVISION	THIRD DIVISION	MEASUREMENT RULES	DEFINITION RULES	COVERAGE RULES	ADDITIONAL DESCRIPTION RULES
			M1 The unit of measurement for general items may be the sum, except where another unit of measurement is used in accordance with rule M2.			
1 Contractual requirements	1 Performance bond 2 Insurances 3 Parent company guarantee		M2 An item may be given for a Parent Company Guarantee where it is envisaged a tenderer may be a subsidiary of a larger company or group.			
2 Specified requirements	1 Accommodation for the contract administrators	1 Offices 2 Laboratories 3 Cabins	M3 A quantity shall be given against all items for <i>specified requirements</i> of which the value is to be ascertained and determined by admeasurement. A unit of measurement shall be stated for each such item.	D1 All work more than that specified in the contract to be carried out by the contractor and of which the nature and extent is expressly stated in the contract shall be classed as <i>specified requirements</i> .		<p>A1 Item descriptions for work classed as <i>specified requirements</i> which is to be carried out after the date for completion shall so state.</p> <p>A2 Item descriptions for work classed as <i>specified requirements</i> shall distinguish between the establish and removal of services or facilities and their continuing operation or maintenance.</p> <p>A3 Item descriptions for <i>testing of materials</i> and <i>testing of the works</i> shall include particulars of samples and of methods of testing.</p>
	2 Services for the contract administrators	1 Transport vehicles 2 Telephones				
	3 Equipment for use by the contract administrators	1 Office equipment 2 Laboratory equipment 3 Surveying equipment				
	4 Attendance upon the contract administrators	1 Drives 2 Chainmen 3 Laboratory assistants				
	5 Testing of materials 6 Testing of the Works					
	7 Temporary Works	1 Traffic diversions 2 Traffic regulation 3 Access roads 4 Bridges 5 Cofferdams 6 Pumping 7 De-watering 8 Compressed air for tunnelling	M4 Items shall be given in this class for all <i>testing</i> for which items are not given separately as set out in other classes.			

“...the value is to be ascertained and determined by admeasurement...”

CESMM4: Civil Engineering Standard Method of Measurement (Fourth edition)

CLASS A: GENERAL ITEMS

FIRST DIVISION	SECOND DIVISION	THIRD DIVISION	MEASUREMENT RULES	DEFINITION RULES	COVERAGE RULES	ADDITIONAL DESCRIPTION RULES
3 Method-Related Charges	1 Accommodation and buildings	1 Offices 2 Laboratories 3 Cabins 4 Stores 5 Canteens and messrooms	M5 Items for <i>Method-Related Charges</i> , if any, shall be inserted by the tenderer in accordance with section 7.			A4 Item descriptions for <i>Method-Related Charges</i> shall distinguish between Fixed and Time-Related Charges
	2 Services	1 Electricity 3				
	3 Plant					
	4 Plant	4 Compaction 5 Concrete mixing 6 Concrete transport 7 Pile driving 8 Pile boring				
		1 Pipelaying 2 Paving 3 Tunnelling 4 Crushing and screening 5 Boring and drilling				
	5 Temporary Works	1 Traffic diversions 2 Traffic regulation 3 Access roads 4 Bridges 5 Cofferdams 6 Pumping 7 De-watering 8 Compressed air for tunnelling				
	6 Temporary Works	1 Access scaffolding 2 Support scaffolding and propping 3 Piling 4 Formwork 5 Shafts and pits 6 Hardstandings				
	7 Supervision and labour	1 Supervision 2 Administration 3 Labour teams				

Accommodation and buildings

CESMM4: Civil Engineering Standard Method of Measurement (Fourth edition)

CLASS A: GENERAL ITEMS

FIRST DIVISION	SECOND DIVISION	THIRD DIVISION	MEASUREMENT RULES	DEFINITION RULES	COVERAGE RULES	ADDITIONAL DESCRIPTION RULES
3 Method-Related Charges	1 Accommodation and buildings	<ul style="list-style-type: none"> 1 Offices 2 Laboratories 3 Cabins 4 Stores 5 Canteens and messrooms 	<p>M5 Items for <i>Method-Related Charges</i>, if any, shall be inserted by the tenderer in accordance with section 7.</p>			<p>A4 Item descriptions for <i>Method-Related Charges</i> shall distinguish between Fixed and Time-Related Charges</p>
	2 Services	<ul style="list-style-type: none"> 1 Electricity 2 Water 3 Security 4 Hoardings 5 Site transport 6 Personnel transport 7 Welfare 				
		<ul style="list-style-type: none"> 1 Cranes 				
		<ul style="list-style-type: none"> 6 Concrete transport 7 Pile driving 8 Pile boring 				
	4 Plant	<ul style="list-style-type: none"> 1 Pipelaying 2 Paving 3 Tunnelling 4 Crushing and screening 5 Boring and drilling 				
	5 Temporary Works	<ul style="list-style-type: none"> 1 Traffic diversions 2 Traffic regulation 3 Access roads 4 Bridges 5 Cofferdams 6 Pumping 7 De-watering 8 Compressed air for tunnelling 				
	6 Temporary Work	<ul style="list-style-type: none"> 1 Access scaffolding 2 Support scaffolding and propping 3 Piling 4 Formwork 5 Shafts and pits 6 Hardstandings 				
	7 Supervision and labour	<ul style="list-style-type: none"> 1 Supervision 2 Administration 3 Labour teams 				

Services

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CLASS A: GENERAL ITEMS

FIRST DIVISION	SECOND DIVISION	THIRD DIVISION	MEASUREMENT RULES	DEFINITION RULES	COVERAGE RULES	ADDITIONAL DESCRIPTION RULES
3 Method-Related Charges	1 Accommodation and buildings	1 Offices 2 Laboratories 3 Cabins 4 Stores 5 Canteens and messrooms	M5 Items for <i>Method-Related Charges</i> , if any, shall be inserted by the tenderer in accordance with section 7.			A4 Item descriptions for <i>Method-Related Charges</i> shall distinguish between Fixed and Time-Related Charges
	2 Services	1 Electricity 2 Water 3 Security 4 Hoardings 5 Site transport 6 Personnel transport 7 Welfare				
	3 Plant	1 Cranes 2 Transport 3 Earthmoving 4 Compaction 5 Concrete mixing 6 Concrete transport 7 Pile driving 8 Pile boring				
	4 Plant	1 Pipelaying 2 Paving 3 Tunnelling 4 Crushing and screening 5 Boring and drilling				
	5 Temporary Work	1 Traffic diversions 2 Traffic regulation 3 Access roads 4 Access				
	6 Temporary Work	1 Access scaffolding 2 Support scaffolding and propping 3 Piling 4 Formwork 5 Shafts and pits 6 Hardstandings				
	7 Supervision and labour	1 Supervision 2 Administration 3 Labour teams				

Plant

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CLASS A: GENERAL ITEMS

FIRST DIVISION	SECOND DIVISION	THIRD DIVISION	MEASUREMENT RULES	DEFINITION RULES	COVERAGE RULES	ADDITIONAL DESCRIPTION RULES
3 Method-Related Charges	1 Accommodation and buildings	1 Offices 2 Laboratories 3 Cabins 4 Stores 5 Canteens and messrooms	M5 Items for <i>Method-Related Charges</i> , if any, shall be inserted by the tenderer in accordance with section 7.			A4 Item descriptions for <i>Method-Related Charges</i> shall distinguish between Fixed and Time-Related Charges
	2 Services	1 Electricity 2 Water 3 Security 4 Hoardings 5 Site transport 6 Personnel transport 7 Welfare				
	3 Plant	1 Cranes 2 Transport 3 Earthmoving 4 Compaction 5 Piling 6 Transport				
	4 Plant	3 Tunnelling 4 Crushing and screening 5 Boring and drilling				
	5 Temporary Works	1 Traffic diversions 2 Traffic regulation 3 Access roads 4 Bridges 5 Cofferdams 6 Pumping 7 De-watering 8 Compressed air for tunnelling				
	6 Temporary Work	1 Access scaffolding 2 Support scaffolding and propping 3 Piling 4 Formwork 5 Shafts and pits 6 Hardstandings				
	7 Supervision and labour	1 Supervision 2 Administration 3 Labour teams				

Temporary Works

CESMM4: Civil Engineering Standard Method of Measurement (Fourth edition)

CLASS A: GENERAL ITEMS

FIRST DIVISION	SECOND DIVISION	THIRD DIVISION	MEASUREMENT RULES	DEFINITION RULES	COVERAGE RULES	ADDITIONAL DESCRIPTION RULES
3 Method-Related Charges	1 Accommodation and buildings	1 Offices 2 Laboratories 3 Cabins 4 Stores 5 Canteens and messrooms	M5 Items for <i>Method-Related Charges</i> , if any, shall be inserted by the tenderer in accordance with section 7.			A4 Item descriptions for <i>Method-Related Charges</i> shall distinguish between Fixed and Time-Related Charges
	2 Services	1 Electricity 2 Water 3 Security 4 Hoardings 5 Site transport 6 Personnel transport 7 Welfare				
	3 Plant	1 Cranes 2 Transport 3 Earthmoving 4 Compaction 5 Concrete mixing 6 Concrete transport 7 Pile driving 8 Pile boring				
	4 Plant	1 Pipelaying 2 Paving 3 Tunnelling 4 Crushing and screening 5 Boring and drilling				
	5 Temporary Works	1 Traffic diversions 2 Traffic regulation 3 Access roads				
	6 Temporary Works	1 Scaffolding 2 Support scaffolding and propping 3 Piling 4 Formwork 5 Shafts and pits 6 Hardstandings				
	7 Supervision and labour	1 Supervision 2 Administration 3 Labour teams				

Supervision and labour

IMPORTANCE OF RECORDS

Northern Ireland Housing Executive v Healthy Buildings (Ireland) Limited [2017]:

“Evidence, from time sheets and other material, of what the consultant actually did in that period, particularly with reference to the change in instructions, is **not only relevant evidence but clearly the best evidence** to assist the court in calculating the “compensation” to which the consultant is entitled...”.

Mansion Place Limited v Fox Industrial Services Limited [2021]:

*“...I must look at the witnesses' evidence through the **prism of the contemporaneous documents**; of their subsequent actions; of those events which are accepted or clearly demonstrated to have happened; and of inherent likelihood. The impression made by the demeanour of a witness must be set against those matters and to the extent that the **contemporaneous documents** in particular show a picture different from that depicted by a particular witness it is the former and not the latter which I should regard as more likely to be an accurate account of what happened”.*

SCHEDULE 1 – COMPENSATION EVENT SCHEDULE

ITEM NO. (1)	DESCRIPTION OF COMPENSATION EVENT AND CLAUSE 60.1 REFERENCE (2)	DIVIDING DATE		ACTIVITIES AFFECTED (5)	DELAY TO ACTIVITY /ACTIVITIES (6) (7)		DELAY TO ACTIVITY/ ACTIVITIES (Working (8)	PHYSICAL CONSEQUENCES (9)	DELAY TO OVERALL COMPLETION (Calendar Days) (10)
		DATE OF PMI (3)	DATE OF NCE (4)						
(1) ACTUAL									

DIVIDING DATE

**(1)
ACTUAL**

SCHEDULE 1 – COMPENSATION EVENT SCHEDULE

ITEM NO. (1)	DESCRIPTION OF COMPENSATION EVENT AND CLAUSE 60.1 REFERENCE (2)	DIVIDING DATE		ACTIVITIES AFFECTED (5)	DELAY TO ACTIVITY /ACTIVITIES		DELAY TO ACTIVITY/ ACTIVITIES (Working Days) (8)	PHYSICAL CONSEQUENCES (9)	DELAY TO OVERALL COMPLETION (Calendar Days) (10)
		DATE OF PMI (3)	DATE OF NCE (4)		STARTED (6)	FINISHED (7)			
(1) ACTUAL									

ITEM NO. (1)

Basis of correlation between schedules and records

SCHEDULE 1 – COMPENSATION EVENT SCHEDULE

ITEM NO. (1)	DESCRIPTION OF COMPENSATION EVENT AND CLAUSE 60.1 REFERENCE (2)	DIVIDING DATE		ACTIVITIES AFFECTED (5)	DELAY TO ACTIVITY /ACTIVITIES		DELAY TO ACTIVITY/ ACTIVITIES (Working Days) (8)	PHYSICAL CONSEQUENCES (9)	DELAY TO OVERALL COMPLETION (Calendar Days) (10)
		DATE OF PMI (3)	DATE OF NCE (4)		STARTED (6)	FINISHED (7)			
(1) ACTUAL	<div data-bbox="394 581 1646 841" style="background-color: yellow; border: 2px solid black; padding: 10px; text-align: center;"> <p>DESCRIPTION OF COMPENSATION EVENT AND CLAUSE 60.1 REFERENCE (2)</p> </div> <div data-bbox="344 919 1276 1315" style="background-color: lightgreen; border: 2px solid green; padding: 10px; text-align: center; margin-top: 20px;"> <p>Chronological listing of an event “which has happened or which is expected to happen as a compensation event” (clause 61.3).</p> </div>								

SCHEDULE 1 – COMPENSATION EVENT SCHEDULE

ITEM NO. (1)	DESCRIPTION OF COMPENSATION EVENT AND CLAUSE 60.1 REFERENCE (2)	DIVIDING DATE		ACTIVITIES AFFECTED	DELAY TO ACTIVITY /ACTIVITIES		DELAY TO ACTIVITY/ ACTIVITIES (Working Days) (8)	PHYSICAL CONSEQUENCES (9)	DELAY TO OVERALL COMPLETION (Calendar Days) (10)
		DATE OF PMI (3)	DATE OF NOTICE (4)		STARTED (6)	FINISHED (7)			
(1) ACTUAL									

DIVIDING DATE

- ◆ For correlation only
- ◆ Schedule not intended to be a substitute for notices under clause 61.3
- ◆ Time-bar for claims if notice not given within the specified time (8-weeks under the standard clause 61.3).

SCHEDULE 1 – COMPENSATION EVENT SCHEDULE

ITEM NO. (1)	DESCRIPTION OF COMPENSATION EVENT AND CLAUSE 60.1 REFERENCE (2)	DIVIDING DATE		ACTIVITIES AFFECTED (5)	DELAY TO ACTIVITY /ACTIVITIES		DELAY TO ACTIVITY/ ACTIVITIES (Working Days) (8)	PHYSICAL CONSEQUENCES (9)	DELAY TO OVERALL COMPLETION (Calendar Days) (10)
		DATE OF PMI (3)	DATE OF NCE (4)		STARTED (6)	FINISHED (7)			
(1) ACTUAL									

ACTIVITIES AFFECTED
(5)

The effects of any given compensation event could vary from one activity to another

SCHEDULE 1 – COMPENSATION EVENT SCHEDULE

ITEM NO.	DESCRIPTION OF COMPENSATION EVENT AND CLAUSE 60.1 REFERENCE	DIVIDING DATE		ACTIVITIES AFFECTED	DELAY TO ACTIVITY /ACTIVITIES		DELAY TO ACTIVITY/ ACTIVITIES (Working Days)	PHYSICAL CONSEQUENCES	DELAY TO OVERALL COMPLETION (Calendar Days)
		DATE OF PMI	DATE OF		STARTED	FINISHED			
(1)					(6)	(7)	(8)	(9)	(10)
(1) ACTUAL									

DELAY TO ACTIVITY/ACTIVITIES

STARTED (6) FINISHED (7)

Start and finish dates are essential to:

- ◆ determine whether any particular cause of delay is critical to overall completion
- ◆ fix the window for the assessment of the effects of the compensation event on Defined Cost

SCHEDULE 1 – COMPENSATION EVENT SCHEDULE

ITEM NO. (1)	DESCRIPTION OF COMPENSATION EVENT AND CLAUSE 60.1 REFERENCE (2)	DIVIDING DATE		ACTIVITIES AFFECTED (5)	DELAY TO ACTIVITY /ACTIVITIES		DELAY TO ACTIVITY/ ACTIVITIES (Working Days) (8)	PHYSICAL CONSEQUENCES (9)	DELAY TO OVERALL COMPLETION (Calendar Days) (10)
		DATE OF PMI (3)	DATE OF NCE (4)		STARTED (6)	FINISHED (7)			
(1) ACTUAL									

DELAY TO ACTIVITY (Working Days) (8)

Basis of assessment of the effects of the compensation event on activity related Defined Cost

SCHEDULE 1 – COMPENSATION EVENT SCHEDULE

ITEM NO. (1)	DESCRIPTION OF COMPENSATION EVENT AND CLAUSE 60.1 REFERENCE (2)	DIVIDING DATE		ACTIVITIES AFFECTED (5)	DELAY TO ACTIVITY /ACTIVITIES		DELAY TO ACTIVITY/ ACTIVITIES (Working Days) (8)	PHYSICAL CONSEQUENCES (9)	DELAY TO OVERALL COMPLETION (Calendar Days) (10)
		DATE OF PMI (3)	DATE OF NCE (4)		STARTED (6)	FINISHED (7)			
(1) ACTUAL									

PHYSICAL CONSEQUENCES (9)

A short statement of what happened in fact which go to the assessment of activity related Defined Cost

SCHEDULE 1 – COMPENSATION EVENT SCHEDULE

ITEM NO. (1)	DESCRIPTION OF COMPENSATION EVENT AND CLAUSE 60.1 REFERENCE (2)	DIVIDING DATE		ACTIVITIES AFFECTED (5)	DELAY TO ACTIVITY /ACTIVITIES		DELAY TO ACTIVITY/ ACTIVITIES (Working Days) (8)	PHYSICAL CONSEQUENCES (9)	DELAY TO OVERALL COMPLETION (Calendar Days) (10)
		DATE OF PMI (3)	DATE OF NCE (4)		STARTED (6)	FINISHED (7)			
(1)									

◆ The period of critical delay will be determined by delay analysis and will be the basis of the assessment of time-related Defined Cost

DELAY TO OVERALL COMPLETION (Calendar Days) (10)

SUMMARY RECORD OF DELAY AND DISRUPTION

DATE.....

ACTIVITY.....

SHEET.....

SUPERVISOR.....

ITEM NO (1)	COMPENSATION EVENT (2)	DELAY TO ACTIVITY		PHYSICAL CONSEQUENCES ² (5)	AVAILABLE RECORDS OF PHYSICAL CONSEQUENCES ³ (6)
		START (3)	FINISH ¹ (4)		
	Other compensation events ⁴				

1. State if ongoing

2. For example:

- A. Postponed commencement
- B. Suspension of work
- C. Abortive work; give details
- D. Redeployment of resources from to.....
- E. Out of sequence working (i.e.before.....)
- F. Additional work

3. Records, e.g. Daily Allocation Sheets, Sub-Contractors' On-Site Sheets, Site Diary, Daywork Records, Photographs, CCTV, etc.

4. Please specify

SCHEDULE 2 - LATE INFORMATION

ITEM NO	SCHED 1 REF NO.	INFORMATION REQUEST			INFORMATION ISSUE				Activity/Activities Affected
		Nature of Information	Date of Request	Manner of Request	Nature of Issue	Date Required	Date Received	Days Late	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
24	55	The detail for the soldier course to underside of white cement coping between Ch.1050.00 and Ch.1500.00	11.10.21	Contractor's letter reference BBW/MG/10596/45 by email dated 11th October 2021 to the Project Manager.	Project Manager's Sketch 2074 issued under cover of E.I. No. 8 dated 31st October 2021	25.10.21	01.11.21	7 days	1. Brickwork 2. White cement coping
25	60	The detail for the junction between the white cement coping and the balustrade anchorage points	14.10.21	Contractor's RFI42 dated 14th October 2021.	Project Manager's Direction 49 dated 10th November 2021	28.10.21	10.11.21	13 days	Balustrade between CH.0.00 and Ch.1050.00
26	75	The detail for the drainage gully at Ch.50.00	12.11.21	Contractor's RFI 51 dated 12th November 2021.	Project Manager's Sketch 2076 issued under cover of EI No. 13 dated 14th January 2022	07.01.22	15.01.22	8 days	1. Drainage at Ch.50.00 2. Paving at Ch.50.00

SCHEDULE 1 – COMPENSATION EVENT SCHEDULE

ITEM NO. (1)	DESCRIPTION OF COMPENSATION EVENT AND CLAUSE 60.1 REFERENCE (2)	DIVIDING DATE		ACTIVITIES AFFECTED (5)	DELAY TO ACTIVITY /ACTIVITIES		DELAY TO ACTIVITY/ ACTIVITIES (Working Days) (8)	PHYSICAL CONSEQUENCES (9)	DELAY TO OVERALL COMPLETION (Calendar Days) (10)
		DATE OF PMI (3)	DATE OF NCE (4)		STARTED (6)	FINISHED (7)			
(1) ACTUAL	Clause 60.1(3). The Contractor not having received in due time necessary drawings, specifications and instructions, by way of the detail for the soldier course to underside of white cement coping between Ch.1050.00 and Ch.1500.00 for which the Contractor made specific written request to the Project Manager; item 24 on Schedule 2 refers.								

Clause 60.1 (3)

**Excel – compensation event in standard phraseology terms – i.e. select from menu in terms of clause 60.1 and insert relevant particulars.
e.g. cl. 60.1(3): “The *Client* does not provide something which it is to provide by the date shown in the Accepted Programme.”**

SUMMARY RECORD OF DELAY AND DISRUPTION

DATE 23rd October 2021

ACTIVITY Brickwork

SHEET 8

SUPERVISOR Ben Carter

ITEM NO (1)	COMPENSATION EVENT (2)	DELAY TO ACTIVITY		PHYSICAL CONSEQUENCES ² (5)	AVAILABLE RECORDS OF PHYSICAL CONSEQUENCES ³ (6)
		START (3)	FINISH ¹ (4)		
55	Clause 60.1(3). The Contractor not having received in due time necessary drawings, specifications and instructions, by way of the detail for the soldier course to underside of white cement coping between Ch.1050.00 and Ch.1500.00 for which the Contractor made specific written request to the Project Manager; item 24 on Schedule 2 refers.	28.10.21	31.10.21	Suspension of brickwork to underside of white cement coping between Ch.1050.00 and Ch.1500.00	C.Adams Daily Allocation Sheets for week ending 5/11/21, daywork Sheet No.120 and progress photography taken on 1/11/21.
55A	Other compensation events ⁴ Clause 60.1(1). Project Manager's Instruction to not lay bricks when air temperature below 2°C (Scope says 1°C)	29.11.21	11.11.21	All Bricklayers standing until air temperature 2°C and finishing when below 2°C	Bricklayers Allocation Sheets and Site Diary

1. State if ongoing

2. For example:

- A. Postponed commencement
- B. Suspension of work
- C. Abortive work; give details
- D. Redeployment of resources from to.....
- E. Out of sequence working (i.e.before.....)
- F. Additional work

3. Records, e.g. Daily Allocation Sheets, Sub-Contractors' On-Site Sheets, Site Diary, Daywork Records, Photographs CCTV etc.

4. Please specify

SCHEDULE 1 – COMPENSATION EVENT SCHEDULE

ITEM NO.	DESCRIPTION OF COMPENSATION EVENT AND CLAUSE 60.1 REFERENCE	DIVIDING DATE		ACTIVITIES AFFECTED	DELAY TO ACTIVITY /ACTIVITIES		DELAY TO ACTIVITY/ ACTIVITIES (Working Days)	PHYSICAL CONSEQUENCES	DELAY TO OVERALL COMPLETION (Calendar Days)
		DATE OF PMI	DATE OF NCE		STARTED	FINISHED			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
55	Clause 60.1(3). The Contractor not having received in due time necessary drawings, specifications and instructions, by way of the detail for the soldier course to underside of white cement coping between Ch.1050.00 and Ch.1500.00 for which the Contractor made specific written request to the Project Manager; item 24 on Schedule 2 refers.		10.11.21	1. Final lift of brickwork between Ch.1050.00 and Ch.1500.00 2.Shuttering to white cement coping	28.10.21	31.10.21	2	1.Suspension of brickwork to underside of white cement coping between Ch.1050.00 and Ch.1500.00; 2:1 gang standing 2. Carpenters(2) waiting to fix shutters for white cement coping redeployed to general site tidying	0
55A	Clause 60.1(1). Project Manager's Instruction to not lay brick when air temperature below 2°C (Scope says 1°C)	29.10.21		1. Brickwork	29.10.21	11.11.21 (ongoing)	11	1. All Bricklayers standing until air temperature at 2°C and finishing when below 2°C	5
56	Clause 60.1(1). Giving effect to the Project Manager's Instruction by way of a change to the Scope requiring the construction of a soldier course to underside of white cement coping between Ch.1050.00 and Ch.1500.00.	01.11.21		1. Final lift of brickwork between Ch.1050.00 and Ch.1500.00 2.Shuttering to white cement coping	01.11.21	13.12.21	31	1.1 Delivery of purpose made blue engineering bricks took 26 days. 1.2 Gang (2:1) redeployed to headwall at Mr Smith's; standing 8.5 hours waiting for concrete foundations. 1.3 Bricklayers reduced productivity working to Sketch 2074. 2.1 Carpenters reduced productivity awaiting completion of brickwork	0
					09.12.21	13.12.21	3		

AGENDA FOR PRODUCING RETROSPECTIVE ASSESSMENTS

TASK	ACTION	PROGRESS
1. Full list of variations (JCT) or list of changes to the Works Information / Scope (NEC)		
2. As-built programme		
3. Resourcing as-built programme		
4. Schedule of preliminaries items on a week-by-week basis		
5. Establish and show critical path through as-built programme		

AGENDA FOR PRODUCING RETROSPECTIVE ASSESSMENTS

TASK	ACTION	PROGRESS
6.	Files of information flow	
7.	Late Information Schedule 2	
8.	Cause of Delay Schedule 1 – Pass 1: causes an activities affected	
9.	Variation account preparation (JCT). Assessment of compensation events (NEC) - <u>base</u> Defined Cost	
10.	Cause of Delay Schedule 1 – Pass 2: start and finish dates, physical consequences, People and Equipment resources	

AGENDA FOR PRODUCING RETROSPECTIVE ASSESSMENTS

TASK	ACTION	PROGRESS
11.	Cause of Delay Schedule 1 –Pass 3: activity delay, management, administration and Time-Related Charges	
12.	Cause of Delay Schedule 1 – Pass 4: critical delay and reconciliation of activity delays	
13.	Loss and expense/5.6.3.3 valuation of Variations Schedule (JCT). Assessment of compensation events - additions to base Defined Cost in respect of activity delays and critical delays (NEC)	
14.	Financing, HO overheads and prolongation evaluation (JCT)	
15.	Narrative and arguments in support of contested compensation events	

RECORD KEEPING - SUMMARY

- **Modular approach to:**
 - ◆ record keeping
 - ◆ assessment of compensation events and presentation to the Project Manager

- **Schedules and SRDDs can be readily QA/monitored as to:**
 - ◆ record keeping
 - ◆ development of progressive and regular submissions to the Project Manager in support of the assessment of compensation events (both time and money).

RECORD KEEPING - SUMMARY

- **Uniform**
- Encourages **communication** and **team working**.
- A significant contribution to **budgetary control** and to the forecasting of final out-turn costs/values.
- Your lawyers/representatives in **formal proceedings** (adjudication, arbitration or litigation) will surely be impressed - if indeed you need to instruct them!

QUESTIONS?