



PROJECT CASE STUDY

- CLIENT:** Main Contractor (approx £100M turnover)
- PROJECT:** Offices of Charitable Organisation
- VALUE:** Approx £10M
- SPECIFIC SERVICES:** **Contract analysis, delay analysis and preparation of extension of time, preparation of adjudication documentation and party representation.**
- PARTICULARS:** Our client was unfairly charged by its Employer for the cost of a scaffold licence imposed by a neighbouring property owner.
The cost of the licence was significant but the delay caused in issuing and agreeing it critically delayed progress on site such that our Client was at risk of the deduction of liquidated damages and loss of recovery of time related costs.
MBM reviewed and analysed the contract to establish the legitimacy of the amount being deducted. MBM produced a critical path delay analysis to demonstrate how the scaffold licence issue had delayed the Completion Date and which activities had been affected .
Our Client asked MBM to refer the matter to adjudication, with all documentation being prepared by MBM. The Adjudicator, an eminent industry barrister, concurred with MBM that our Client was not liable for the cost of the scaffold licence and that any delays caused in obtaining the licence were caused by the Employer. As such a full extension of time was awarded granting relief from damages and facilitating the recovery of associated time related delay costs.
- BENEFITS:** MBM handled the matter on behalf of our Client allowing the Client's surveying team to continue their works without distraction.
The Commercial Director had confidence the matter was being handled by a dedicated team.
- VALUE ADDED:** Cost of scaffold licence recovered: £6,000
Protection from LDs: £35,000
Time related costs entitlement: Circa £95,000
Approximate fee cost: £17,000

