



**HIFCC**

Hilal Itani Forensic Claims Consultants

# Portfolio

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# S E R V I C E S

Construction Contract Claims

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Contract Administration & Management

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Planning and Scheduling Services

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Arbitration Assistance

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Tender Process and Procurement Strategy

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Feasibility Studies

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# Construction Contract Claims

It has been proven that each Project is unique in its nature and characteristics. And it has been proven that delay is inevitable. Therefore, when claims exist, each Project will require specifically tailored consulting services to ensure cost effective and efficient solutions. We provide our clients with best value solutions in terms of preparing, appraising or defending claims for extensions of time, prolongation costs, disruption costs, acceleration costs or recovery of disputed variations. In order for a claim to succeed it must have contractual validity, together with the support of factual and accurate records, and clearly establish a cause and effect link.

Our wealthy experience in managing claims is as follows:

- **Claim Strategy:** we examine the clients' objectives and develop a strategy to ensure they are delivered;
- **Claims Appraisal:** we examine the contractual or factual information in attempt for pursuing or defending a claim;
- **Claims Preparation:** in order to succeed, a claim or defence needs to be clear, accurate and draw a close link between the cause and effect;
- **Delay Analysis:** many claims revolve around extensions to contract periods or delays in completion. By using the latest industry techniques and methods, it is easier to demonstrate how various events have impacted upon the projected programme of works, thereby allocating responsibility for the same;
- **Claims Resolution:** many claims can be resolved by successful negotiation to a client's satisfaction, without the need for recourse to formal dispute resolution tribunals. Introducing such a route for negotiation is key to achieving satisfaction for the client.

**PREPARING**

**DEFENDING**

*DISRUPTION*

**PROLONGATION**

**APPRAISING**

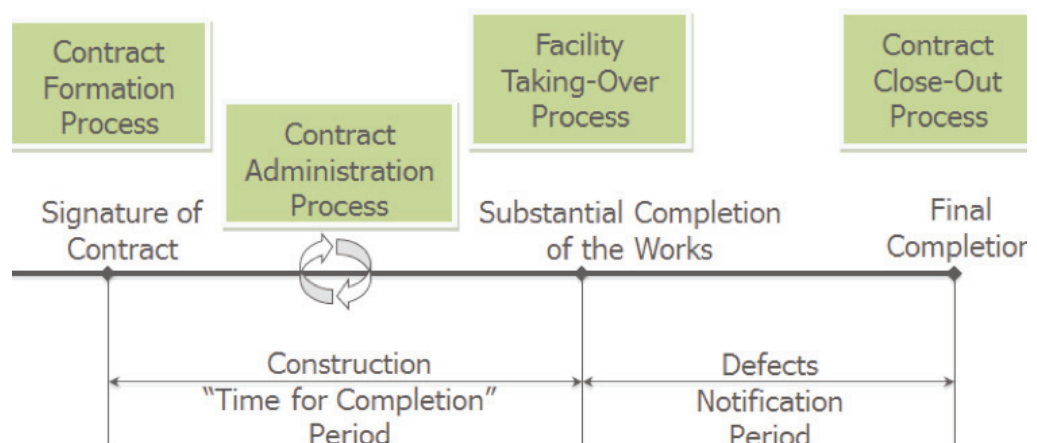
*ACCELERATION*

# Contract Administration and Management

Proper contract administration plays a pivotal role through a number of key project phases in the overall effective management of a project. Among others, it ensures adherence to contract stipulation and appropriate allocation of risk, helps administer contract activities and develops procedures to control impact of changes. We provide a number of services during the course of a project either directly or indirectly to support clients through their contracts.

## These services include:

- Developing bespoke contract procedures and manuals to assist in the effective management of a project from inception to completion;
- Providing user friendly interpretation of contracts, both standard forms and one-off contracts, using flow diagrams and familiar processes to illustrate the mechanisms involved such as notice provisions, payment requirements, information transfer and time restrictions;
- Providing key standard response documents which include all clauses, necessary references and terms to make them effective;
- Providing ongoing audits to ensure that administrative issues are being addressed;
- Drafting detailed contractual letters that is based on factual information to protect client's rights.



# Planning and Scheduling Services

It is essential that we follow a consistent approach to the planning and programming advice we provide, which is best achieved by using the particular skills of our expertise thus enabling the delivery of a full planning and programming service throughout the project life cycles for design development, all types of procurement, construction planning, buildability / methodology advice and 'time' risk analysis. Each client is provided with a customized package of planning and scheduling services depending on its need and in order to maximize the means of directing, controlling and monitoring their projects.

## These services include:

- Evaluation of procurement strategies; Due Diligence Analysis of all project programmes and cost schedules prior to completion of the construction contract;
- Establishment of monitoring and control procedures and implementation of appropriate project control procedures and systems during the project, to ensure compliance with programme and cost;
- Provision of dispute avoidance advice and procedures, as required, to ensure progression of project and management of contentious issues as they arise; and
- Full reporting at all stages, with a full review upon completion to ensure all project objectives have been achieved.



# IDENTIFYING

# CONDUCTING

| Activity ID  | Activity Description                      | Mag. Dur. | Early Start | Early Finish | Mag. Start | Mag. Finish | Float    | TS | TS | TS | TS | TS | TS | TS | TS | TS | TS           |
|--|---|-----------|-------------|--------------|------------|-------------|----------|----|----|----|----|----|----|----|----|----|--------------|
| <b>START DATES OF DIFFERENT ZONES</b>                    |   |           |             |              |            |             |          |    |    |    |    |    |    |    |    |    |              |
| <b>Events</b>  |   |           |             |              |            |             |          |    |    |    |    |    |    |    |    |    |              |
| <b>Villa 1 Z 1</b>                                       |   |           |             |              |            |             |          |    |    |    |    |    |    |    |    |    |              |
| <b>Delays Due to Design Changes</b>                      |   |           |             |              |            |             |          |    |    |    |    |    |    |    |    |    |              |
| EDSC180  | Revised Village Structural Drawings       | 0         |             |              |            |             | 20JAN11A |    |    |    |    |    |    |    |    |    | Revis        |
| <b>Engineering - Phase 1</b>                             |   |           |             |              |            |             |          |    |    |    |    |    |    |    |    |    |              |
| <b>Zone 1</b>  |   |           |             |              |            |             |          |    |    |    |    |    |    |    |    |    |              |
| <b>Shop Drawings Submittal</b>                           |   |           |             |              |            |             |          |    |    |    |    |    |    |    |    |    |              |
| <b>Slab</b>  |   |           |             |              |            |             |          |    |    |    |    |    |    |    |    |    |              |
| SDS1152130   | 2nd LOF Slab - Shop Drawing Submittal     | 14        | 25AUG10A    | 25OCT10A     | 25AUG10A   | 25OCT10A    |          |    |    |    |    |    |    |    |    |    | 2nd LOF Slab |
| SDS1152132   | 2nd LOF Slab - Shop Drawing Re-Submittal  | 7         | 13OCT10A    | 24DEC10A     | 13OCT10A   | 01FEB11     | -25      |    |    |    |    |    |    |    |    |    | 2nd LOF Slab |
| <b>Shop Drawings Approval</b>                            |   |           |             |              |            |             |          |    |    |    |    |    |    |    |    |    |              |
| <b>Slab</b>  |   |           |             |              |            |             |          |    |    |    |    |    |    |    |    |    |              |
| SDA1152130   | 2nd LOF Slab - Shop Drawing Review        | 21        | 25AUG10A    | 31OCT10A     | 25AUG10A   | 31OCT10A    |          |    |    |    |    |    |    |    |    |    | 2nd LOF Slab |
| SDA1152132   | 2nd LOF Slab - Shop Drawing Re-sub Review | 14        | 06NOV10A    | 12JAN11      | 06NOV10A   | 15FEB11     | -25      |    |    |    |    |    |    |    |    |    | 2nd LOF Slab |
| <b>Phase 1 - Concrete &amp; Masonry Works (Lump Sum)</b> |   |           |             |              |            |             |          |    |    |    |    |    |    |    |    |    |              |
| <b>Zone 1</b>  |   |           |             |              |            |             |          |    |    |    |    |    |    |    |    |    |              |
| <b>Villa 1 Z 1</b>                                       |   |           |             |              |            |             |          |    |    |    |    |    |    |    |    |    |              |

# EVALUATING ANALYZING

# Arbitration Assistance

Our range of experience provides a vital link between the technical and legal aspects of a case. We work closely with your personnel and your in-house or external legal counsel to provide you with a cohesive, team-based approach designed to maximize your chances of success from the issue of the notice, preparation of pleadings and schedules, right through to presenting your case at the hearing.

**Our arbitration support service is designed to meet the client's need, by:**

- Assisting your legal team in a cost effective manner with the management of the arbitration,
- Recommending suitably qualified legal representatives to advocate your case in Arbitration,
- Managing the client legal and professional team to achieve a favorable Arbitrator's Award within budget.

**Our objective is to assist in securing an early settlement through open negotiation and to provide our clients with:**

- An initial appraisal on the strengths and weaknesses of the case and the likely weight of supporting evidence
- An analysis of the risks and the various courses of action open to the client (financial and non-financial)
- A strategic plan, explaining how we will manage the case and the probability of achieving a settlement
- A budget for the whole of the proceedings and monthly reports on progress against budget
- A fee structure, which we can agree in advance for each stage of the arbitration and monthly client/budget reports.

Without clear professional advice, arbitration in the construction industry can be an expensive and frustrating process. Therefore we will always try to help our clients resolve the dispute before it reaches this stage.





**A**  
ssisting

**R**  
ECOMMENDING

**M**  
anaging



# Tender Process and Procurement Strategy

The success criteria of any project depends on the establishment and adoption of the most appropriate procurement route and contract form, pre-qualification criteria, and bid evaluation criteria. The procurement process that is to be managed is therefore intended to enable clients to strike the right balance between the often conflicting criteria of time, quality, price and function.

## **Our services include:**

- **Procurement Management:** Procurement strategy development, appropriate contract selection, documentation preparation, monitoring and reporting on procurement; design development management, monitoring and evaluation.
- **Forms of Contract:** Advice, guidance and assistance in the implementation and application of appropriate forms of contract such as: FIDIC and NEC3 in various options, with provision of Project Manager function; advice on other “partnering friendly” contractual arrangements; training in all aspects of contract implementation and administration.
- **Performance Improvement:** Advice, guidance and assistance in the application of a range of project performance improvement techniques such as: Value Engineering, Value Management and Risk Management Workshops, Value and Risk Monitoring and evaluation; Key Performance Indicators (KPI) design, implementation and monitoring; Project Programming, scheduling, resourcing, controlling, monitoring, evaluating and reporting; Audit processes for procedures, finances, performance; Quality Management methods; Project Health, Safety and Respect for People procedures; Change Management and Team Building workshops.

# Feasibility Studies



Clients want to have sufficient information addressing the risks and the chances that they have for executing a project that in turn would need a commitment for resources to be executed. A scrutinized review of the interface between the business and engineering in terms of capital expenditure is conducted. We will analyze and provide our evaluation of the viability of the clients' ideas to be able to determine the potential positive and negative outcomes of a project before investing a considerable amount of time and money in it. A technical assessment along with a cost/benefit analysis are conducted to identify the potential logistical problems and marketing strategies that will assist in having a wise choice for investing in the business.



# Projects:

# Lebanon

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## **Construction Contract Claims**

Summerland Hotel and Resort – Beirut – Lebanon  
Kesrouane Coastal Area Water Supply, Kesrouane, Lebanon  
Fourzol Wastewater Treatment Plant, Fourzol, Lebanon  
Aitanit-Qaraoun Wastewater Treatment Plant, Lebanon  
Akkar El Atika Area Water Supply, Lebanon  
Four Seasons Hotel Beirut, Lebanon  
Modern Mills of Lebanon Grain Silos, Ashrafieh, Beirut, Lebanon.  
LE Chateau Project, Beirut, Lebanon  
Crown Flour Mills Grain Silos, Ashrafieh, Beirut, Lebanon

## **Contract Administration Services**

Glassline Industries/Group, Beirut, Lebanon

## **Planning and Scheduling Services**

Mahmassani Law Firm, DBA1, DBA2, and DBA3 (NOOR Gardens), Beirut, Lebanon

# Saudi Arabia

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## **Arbitration Assistance**

Lamar Tower Project, Jeddah, Kingdom of Saudi Arabia

## **Price Escalation Claims**

Public Pension Agency Building, Riyadh, Saudi Arabia

## **Construction contract Claims**

Community Package Project, Al-Khafji, Saudi Arabia.  
Public Pension Agency Buildings, Riyadh, Saudi Arabia

# Iraq

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## **Construction Contract Claims**

General Contractor, Water Supply System Upgrade, Al-Hussainiya, Baghdad, Iraq

# UAE

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## **Construction Contract Claims**

Sharjah Women's Club External Modifications, Sharjah, United Arab Emirates.

Uptown Mirdif, Dubai, United Arab Emirates

Green Community West, Villas and Buildings Main Package, Dubai Investment Park (DIP), United Arab Emirates

Jebel Ali Power and Desalination Station "L," Phase II, Dubai, United Arab Emirates

## **Contract Administration Services**

Glassline Industries/Group, Abu Dhabi, UAE

# Qatar

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## **Construction Contract Claims**

West Bay District Cooling Plant Scheme, Plant 2, West Bay, Doha, Qatar.

## **Contract Administration Service**

ALCAT Contracting, Torch Tower (or Aspire Tower), Doha Sports City Complex, Doha, Qatar

Glassline Industries/Group, Doha, Qatar

## **Arbitration Assistance**

Qatar Science & Technology Park (QSTP), Education City, Doha, Qatar.

# Africa

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## **Arbitration Assistance**

Dahlak Island, Eritrea, Africa. (ICC Arb No. 15820/EC)