



Construction Claims

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Construction claims have a language and procedures of their own. A party to a construction dispute must elect between inconsistent claims, defences and remedies. An uninformed choice or failure to pursue a particular remedy or a particular defence can be a costly mistake. The aim of this book is to explain the choices which are available. Coverage includes: differences between arbitration, litigation, adjudication and expert determination legal categories of claim and unjust enrichment ambit claims, global claims and the total cost claim two categories of quantum meruit liquidated damages, nominal damages and Hungerford's damages flaws in the Hudson Formula, prevention principle and red hand rule causation and foresee ability - election, waiver, res judicata and the rule in Henderson v Henderson defences, estoppel, time bars and accord and satisfaction claim preparation costs and Calderbank offers the most significant change in this 2nd edition of Construction Claims reflects the shift away from arbitration and litigation towards adjudication which has taken place in the past decade. There is extensive discussion of the new law, in most jurisdictions, on security of payment and the compulsory rapid adjudication of construction claims.

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