



# What's the Quarrel?

If you don't get to the point, you won't get to your money ...

*What sets QUALSURV apart ...*

... decades of in-house contractor based experience



## *Nothing fails a good claim so conclusively as a failure to make one's case clearly*

*A message from David Fishwick, Director*

Making it difficult for the administrator of a contract to say no requires clarity of thinking and a submission that gets to the point.

I so often come across a good case made less by the way in which it is presented. Complicated language and a lack of clear thinking in the presentation of that case often makes it difficult for the intended audience to understand the merits of the case.

It is my contention that to make his case well, the claimant must first understand it clearly. He must ask himself "What's the quarrel?" Thereafter, he must concentrate on that issue, make his case in clear language and identify where under the contract the entitlement arises. Finally, he must support his case with relevant facts that link cause with the effect claimed.

To do otherwise is to invite "No" in response.

Contractors are busy people who often have insufficient time or resources available to do the job I know is required. However, in my experience, taking a little longer to make the case in the right way will almost always lead to a speedier, more cost efficient settlement of the quarrel.

In closing, I should say that, in my experience, contractors are not the only class of correspondent to use confusing language as the text to the right shows.

David Fishwick



In refusing a Contractor's claim an assistant Resident Engineer once wrote:

*"You are flagellating  
an inanimate equine."*



# Focus

## ... on the Quarrel

How often have you heard the term *"it's a delay and disruption claim?"* when in fact this (the delay and/or the disruption) is the effect of one or more events. A claimant must focus on the cause of the effect of which he complains and make his case as plainly as the facts will allow.

## Basis of Entitlement

A claimant must always ask “where under the contract am I entitled to make this claim?” This is often referred to as the “hook”. It is vital to establish this fundamental point clearly and support it with facts.

## Cause

This is almost always a matter of fact. Documentary evidence is more probative than oral evidence. The strength of the case often relies heavily upon the quality and extent of available evidence.

## Impact

Claims lead to an impact on time, money or both. For a claim to succeed, a claimant must demonstrate how it is the impact on time and/or money has been created from each event – ‘the causal link’.





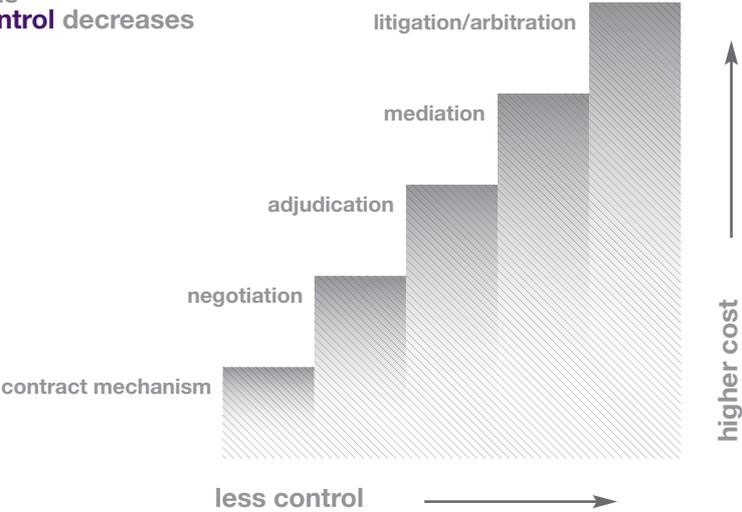
# Get to your money

There should be no doubt that **less control** usually means **higher costs**. Losing control delays the process and delays you getting to your money.

**Gain control, maintain focus** and **we'll share the risk** to get you your money.

# Get a grip

**Cost increases**  
as  
**Control decreases**



At QVALSURV our focus is on the delivery of commissions within the shortest timescale possible and to the agreed budget.

QVALSURV will examine the quarrel and prepare an initial assessment of the issues to resolve and the options available ... before we act.

# Pulling Together

It's your team and your business culture, our people embrace that culture and become part of the team. Together we will focus on the quarrel and bring clarity to the cause.





## Relationships

It shouldn't be a fight. Where there are good relationships between the parties, it is often possible to negotiate the case without damaging that relationship. We make this one of our key objectives.



## Negotiation

It's always better to negotiate a solution. We are often used as a sounding board to benchmark what the likely outcome of the case would be.

## Team Work

If negotiation fails then we can provide the methods and resources to recover your entitlement. By working as part of your team, using records made available to us, together we'll make a strong case aimed at your intended recipient.

# Why QALSURV?

- ✓ Decades of in-house contractor based experience
- ✓ We become accountable for your spend
- ✓ Continued commitment to “living your project”
- ✓ We don’t learn on your time
- ✓ Exceptional success rates
- ✓ Competitive low risk cost model
- ✓ A larger firm professional service, with a small firm personal approach



## Capabilities

Extensive experience and specialities in the following:

- Expert witness (a range of expertise)
- Adjudication
- Arbitration
- Litigation
- Delay analysis
- Claims
- Commercial work
- Risk assessments
- Civil Engineering, Building, Construction, Marine and Offshore Wind

A well established service provider of quality and integrity.



## About QUALSURV

Our focus is in delivering commissions within the budget set and time allowed.

We strive to exceed our own and our customer's expectations.

## Approach

Sharing of risk and value for money for our customer is a priority and key to a good relationship. Where the requirement can be defined and where there is a share of the reward, we will perform work at reduced costs. The quality of work is consistently high and we pride ourselves on a fair and open approach.

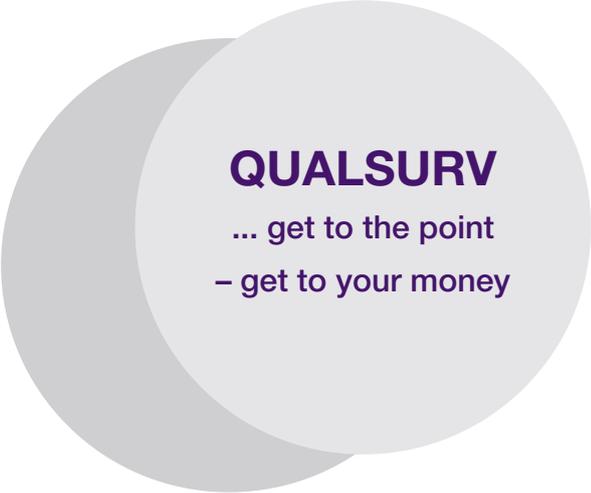
## Versatility

QUALSURV has an extensive track record in many forms of contract work acting for both the Contractor and the Employer.

This experience covers, amongst others, NEC and JCT forms of contract used predominantly within the UK market place in addition to the Internationally recognised FIDIC and EPC forms.

## Culture

At QUALSURV we work hard to create a culture that embraces collaboration, innovation and value for money. This has led to consistently better results for our customers and higher job satisfaction for our employees. We have excellent people skills; demonstrable loyalty and a refreshing open and honest approach in our commitment to achieve the best result for our customers.



# QUALSURV

... get to the point  
– get to your money



## Contact

UK Head Office Warwick    t +44 (0) 1926 499750    e [info@qualsurv.co.uk](mailto:info@qualsurv.co.uk)  
Also at Leeds and London

**QUALSURV**

**Our depth of experience and direct approach makes us different**