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contractor claims on

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Construction delays are
among the most common

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disputes that arise on
projects. However, the
process of establishing and
proving a delay claim can
get complicated quickly.
That's why having a
comprehensive understanding
of the necessary elements to

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justify a delay claim can be
a priceless advantage.

Construction Delay Claims:
Types, Claims, and Defenses
Owners Ass'n of Harbor
Acres, Inc. v. Ying, 137

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AD2d 509, 510 (2nd Dept
1988) ("While it is a long
established rule that the
proper measure of damages
for permanent injury to real
property is the lesser of
the decline in market value
and the cost of

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restoration", the burden is on the defendant, "to prove that a lesser amount than that claimed ...

Cabrera v Green Complex,
Inc. :: 2013 :: New York

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A Labor Law § 200 claim is not absolute and in order to be found responsible for negligently failing to provide a safe place to work, an owner or contractor must have either actual

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notice or constructive
notice of the dangerous
condition which caused the
accident. Tkach v. City of
New York, 278 A.D.2d 227,
717 N.Y.S.2d 290 (2d Dep't
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STATE OF NEW YORK

CONSTRUCTION LAW COMPENDIUM

The total cost method seeks to convert a standard fixed-price construction contract into a cost reimbursement arrangement. R. Cushman & D.

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36 (1990). The total
estimated cost of
performance is subtracted
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II. Methods of Pricing

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Claims. There are several basic methods for pricing construction claims. The simplest method is the total cost method. The oversimplicity of the total cost method causes it to be frowned on and accepted only

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in extreme cases. The
modified total cost method
attempts to address those
weaknesses but still faces
similar ...

Proving Costs and Damages

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5.0 out of 5 stars The basic
bible for Construction
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the foundational Primer for
attorneys, forensics
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differing site conditions
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productivity (also referred to as inefficiency, disruption, or impact) can be defined as the increased cost of performance caused by a change in the contractor's anticipated or planned resources, working

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