

TYPES OF DELAYS

CONSTRUCTION CONTRACTS MANGEMENT

BY

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1. EXCUSABLE DELAYS

SLIDE #1

- Delays concurrent to both parties or caused by force majeure or third parties beyond their control.
- Liquidated Damages (LD) waived.
- Contractor eligible for additional time but not entitled to additional cost from the employer.

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EXCUSABLE DELAY EXAMPLES-1

SLIDE #2

- Delays caused by force majeure events, such as natural disasters or acts of terrorism.
- Delays caused by third parties, such as government regulations or utility company delays.
- Delays due to unforeseen weather conditions, such as heavy rain, storms, or extreme temperatures.

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EXCUSABLE DELAY EXAMPLES-2

- Delays caused by labor strikes or other labor-related issues beyond the control of both parties.
- Delays due to unforeseen changes in laws or regulations affecting the project.

SLIDE #3

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2. INEXCUSABLE DELAYS

SLIDE #4

- Delays solely attributable to the contractor.
- Liquidated Damages (LD) invoked.
- No additional time or cost for the contractor.

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INEXCUSABLE DELAY EXAMPLES-1

- Delays caused by the contractor's failure to submit required drawings on time.
- Delays caused by the contractor's failure to mobilize manpower as per the agreed schedule.
- Delays caused by the contractor's failure to order materials in a timely manner.

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INEXCUSABLE DELAY EXAMPLES-2

SLIDE #6

- Delays caused by poor project management or inadequate coordination by the contractor.
- Delays caused by the contractor's failure to meet quality standards or complete work as per specifications.
- Delays caused by the contractor's failure to adhere to safety protocols or comply with regulations.

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INEXCUSABLE DELAY EXAMPLES-3

SLIDE #7

- Delays caused by the contractor's subcontractors or suppliers failing to meet their obligations.
- Delays caused by the contractor's failure to provide timely progress reports or updates.

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3.

COMPENSABLE DELAY

SLIDE #8

- Usually accompanies excusable delays.
- Delays attributable to the employer, not solely the contractor.
- Contractor compensated for additional time and additional cost.

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COMPENSABLE DELAY EXAMPLES-1

- Delays resulting from changes in the project scope initiated by the employer.
- Delays caused by late supply of owner-provided materials or information.
- Delays caused by impeded site access due to actions or decisions by the employer.

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COMPENSABLE DELAY EXAMPLES-2

SLIDE #10

- Delays caused by out-of-sequence work requested by the owner.
- Delays resulting from unforeseen site conditions encountered during construction.
- Delays caused by delays in the owner's decision-making process

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COMPENSABLE DELAY EXAMPLES-3

- Delays caused by the owner's failure to provide necessary approvals or permits in a timely manner.
- Delays caused by the owner's failure to provide timely payment or resolve contractual disputes.

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4. NON- COMPENSABLE DELAY

SLIDE #12

- Can be non-excusable and non-compensable or excusable and non-compensable.
- Non-excusable and non-compensable No Time & No Cost
- Excusable and non-compensable only Time & No Cost

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DISCLAIMER

SLIDE #4

The examples provided in this article are for illustrative purposes only and should not be considered as legal advice or specific contractual provisions. The terms and conditions regarding delays, including excusable, inexcusable, compensable, and non-compensable, may vary depending on the specific contract and jurisdiction.

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THANK YOU

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