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INSTITUTE OF PROFESSIONAL CERTIFICATIONS

# CANADA LAW ON CONSTRUCTION DELAY, IMPACT CLAIMS AND DISPUTE MANAGEMENT

**Fully Accredited  
By:**

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# PROGRAM OVERVIEW

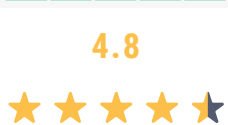
In the Canadian construction industry, **85% of projects face significant delays, leading to \$2.5 billion in annual financial losses. Construction-related disputes have increased by 30% over the past decade, with 60% of these disputes linked to contract issues and delays.**

This certified program is designed to equip you with the skills to manage construction delays, impact claims, and dispute resolution, keeping your projects on track and compliant. Participants will gain a comprehensive overview of Canadian construction law, focusing on key areas such as **delay claims and critical contractual clauses under the Canadian Construction Documents Committee (CCDC) that often lead to disputes.** You'll learn advanced risk assessment techniques to identify and prioritize potential issues before they become costly legal challenges. You will also gain expertise in **drafting contracts that minimize exposure to claims, ensure legal compliance, and address common causes and consequences** of delay claims, such as productivity losses.

Additionally, you'll explore common **contractual claims related to good faith and the duty of honest performance, as well as various dispute resolution processes—mediation, arbitration, and litigation.** This program will also address the impact of insolvencies on construction projects and provide strategies for managing and responding to claims during these challenging situations.

Upon completion, you'll earn the **Certification in Canada Law on Construction Delay and Dispute Management**, demonstrating your proficiency in Canadian construction law and your commitment to high standards in project management and compliance.

## ACCREDITATIONS



4.8



4.6



# KEY SKILLS YOU WILL GAIN

## From This Program



**CANADA CONSTRUCTION LAW  
CONTRACT CLAUSES  
CONTRACT INTERPRETATION  
CONSTRUCTION DELAY CLAIMS MANAGEMENT**

**CONCURRENT DELAY ANALYSIS  
QUANTIFICATION OF CLAIMS AND IMPACT  
PROPER EVIDENTIARY RECORD  
DISPUTE RESOLUTION PROCESSES**

**GOOD FAITH PROVISION  
COURTS AND TRIBUNALS EXPECTATIONS  
MEDIATION  
ARBITRATION**

**LITIGATION  
NEGOTIATION TECHNIQUES  
CONSTRUCTION LIENS CLAIMS  
CONSTRUCTION LIEN ACT  
PROMPT PAYMENT REQUIREMENTS**

**DISPUTE ADJUDICATION REGIME  
CONSTRUCTION PROJECTS INSOLVENCIES**

# YOUR FACULTY DIRECTOR



## Howard Krupat

### Highly Distinguished Construction Legal Expert

Howard Krupat is a highly respected legal expert and the head of DLA Piper's Canadian construction practice, where he brings extensive experience as **lead counsel in complex construction disputes across both public and private sectors**. Specializing in construction law, Howard provides strategic advice on project and contract administration, focusing on early dispute resolution for a diverse clientele, including owners, contractors, lenders, and design professionals. His practice encompasses **negotiation, mediation, arbitration, and litigation, covering all aspects of construction law, from contract disputes and tendering to delay claims and construction liens**.

A Fellow of the Canadian College of Construction Lawyers, Howard has **chaired key industry committees and played a significant role in Ontario's Construction Lien Act Review**. He is the **contributing editor of the LexisNexis Construction Law Letter and is recognized as a leading construction lawyer in prestigious publications like Chambers Canada and Best Lawyers in Canada**. His experience spans major projects in transit, energy, infrastructure, and commercial development, establishing him as a top authority in construction law.

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# PROGRAM AGENDA

## **MODULE 1 - UNDERSTANDING CAUSES OF CONSTRUCTION CLAIMS**

- Recognizing typical claims that arise
- Managing projects to avoid claims
- Organizing projects to be prepared for claims when they occur

## **MODULE 2 - CRITICAL CONTRACT CLAUSES IN DELAY CLAIMS**

- Contract clauses that commonly lead to claims
- How to protect against claims through contract drafting
- Strategies to ensure contract compliance in order to minimize claims exposure

## **MODULE 3 - FOCUS ON CAUSES AND CONSEQUENCES OF DELAY CLAIMS**

- Common causes of delay claims
- Common consequences of delay claims (Types of damages and losses, such as productivity losses)
- Recognizing factors that could lead to delay claims

## **MODULE 4 - FOCUS ON PREPARING FOR DELAY CLAIMS**

- Administering the project to ensure proper evidentiary record
- Complying with contractual requirements to succeed on delay claims while minimizing damages to business relationships on project
- Knowing when to use a claims consultant

## **MODULE 5 - WORKING WITH DELAY EXPERTS**

- Understanding the role of delay experts
- The expectations of courts and tribunals for delay experts
- The most common mistakes of delay experts

## **MODULE 6 - OTHER COMMON CONTRACT CLAIMS ARISING ON CONSTRUCTION PROJECTS**

- Good faith (Duty of honest performance)
- Principles of contract interpretation
- Common contract clauses that give rise to claims other than delay claims



# PROGRAM AGENDA

## **MODULE 7 - DIFFERENT TYPES OF DISPUTE RESOLUTION PROCESSES**

- Mediation, arbitration, litigation and “other” types of contractual dispute resolution processes

## **MODULE 8 - UNDERSTANDING CONSTRUCTION LIENS**

- Using construction liens as an enforcement tool
- When construction liens are most effective
- Common mistakes in using construction liens claims
- Other remedies under construction lien legislation (Such as trust claims)

## **MODULE 9 - PROMPT PAYMENT AND ADJUDICATION**

- The mechanics of prompt payment across Canada
- Administering contracts to be compliant with prompt payment requirements
- The use of adjudication as the “teeth” for prompt payment
- Effectively adjudicating a dispute

## **MODULE 10 - CONSTRUCTION PROJECTS AND INSOLVENCIES**

- The impact of an insolvency on a project
- Tools to be employed to be prepared for an insolvency
- How to effectively manage and respond to claims during an insolvency
- How to manage a project during an insolvency

# YOUR CHARTER DESIGNATION



Chartered Institute of Professional Certifications' programs are unique as they provide you with professional charter designations and marks that can be used across your lifetime once you have completed our programs.

Upon successfully completing this program, you will be awarded the **Certification in Canada Law on Construction Delay and Dispute Management**, which can be included in your resume, CV, and other professional credentials. This industry-recognized certification holds lifelong validity.

Globally sought-after and respected, this certification will elevate your professional qualifications and demonstrate your proficiency in navigating the intricate legal landscape of construction delay claims and disputes. It equips you to effectively manage projects, mitigate risks, and maintain timelines, solidifying your expertise in the field. Developed by the **Chartered Institute of Professional Certifications**, the program content has been independently accredited by the **CPD Certification Service**, ensuring it adheres to the highest standards of continuing professional development principles.



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49,525

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390

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# OUR FACULTY DIRECTORS

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# CONTACT US TODAY

We Thank You for Your Ongoing Support  
of Our Programs

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