

# Constructing Success



## Working with Law Firms

### Capability Statement

Helping Clients and their legal counsel reduce the consequences of 'Construction Project Commercial Risk' through:

**'Designing In' Certainty** – Managing Risk; aligning expectations

**'Working Out' Great Delivery** – Maintaining progress; mitigating problems

**'Closing Out' Successfully** – Optimising outcomes; resolving disputes equitably



**COMMERCIALRISK**  
MANAGEMENT

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# CRM: Working with Law Firms

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**Introduction:** CRM is a specialist Chartered QS - Cost Consultancy firm, with extensive capability in Quantum, Programme and Planning and all commercial aspects of construction.

Our focus is on assisting clients, their legal counsel, contractors and consultants to achieve successful and equitable project outcomes by avoiding, mitigating, managing, and resolving construction disputes.

From conception, through inception, construction, on to Final Account and beyond, CRM provides those involved in procuring and delivering projects with the highest levels of informed commercial decision making and effective Risk Management Strategies.

Key to our role is engagement with, and support for, clients' selected legal advisers, especially in providing clarity to often complex construction delivery and procedures.

## Working with, and for, Law firms

- CRM does not provide legal advice; our guidance spans procurement strategies, contractual matters, commercial protocols and procedures, informed negotiation positioning.
- Law firms invite CRM to participate to undertake the 'heavy lifting' of commercial analysis and programme and time/delay review and reporting – we always insist parties seek legal counsel to affirm our strategic and operational support and direction complies with the legal contractual position.
- CRM, where appropriate, invites suitably skilled and scaled law firms to present credentials to clients and contractors where potentially suited as legal partner.

This approach ensures contracting parties have the correctly balanced, comprehensive portfolio of advice when instructing or undertaking project delivery, or when dealing with emergent issues and the adversarial attitude and frequent prevalent conflict in contemporary construction.

An intended legacy of our participation is helping client organisations evolve their commercial advantage.

## Achieving Equitable Outcomes, Together

- Incremental, 'progressive' approach:

Pre-Contract, High Level Commercial Support and Advice

- Practical construction phase planning and health checks
- Informed construction phase decision making
- Pragmatic 'conflict' management and resolution
- Project recovery strategies
- Dispute reconciliation
- Close out and post contract resolution

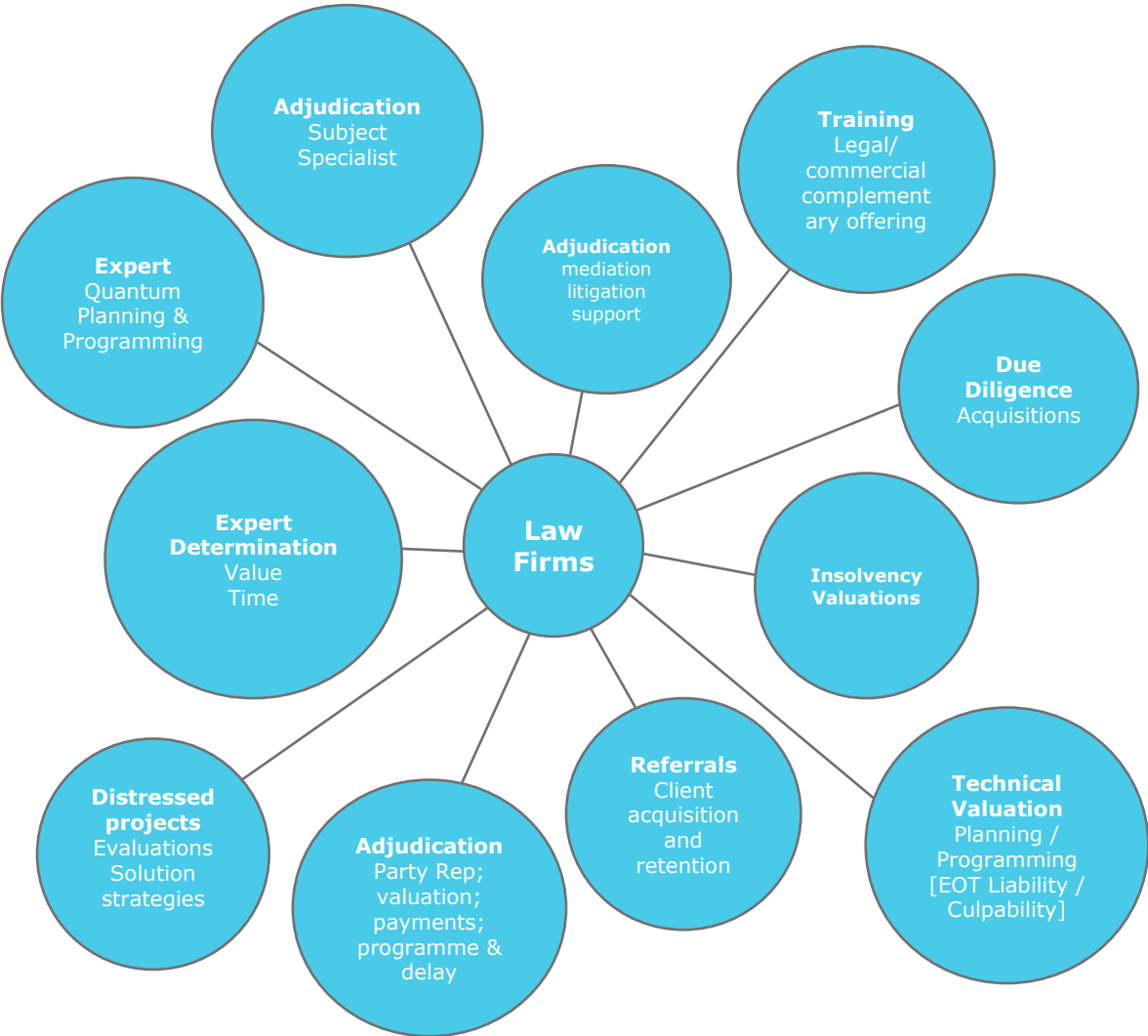
...in partnership, at each stage

- Dispute Resolution: Up to and including mediation, adjudication, arbitration and litigation, CRM partners with lawyers in developing, implementing and providing supporting information to deliver optimum strategies.



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## Complementary Service Lines



## CRM, A Unique Approach

Led by our Principal, Jason Farnell, a qualified, practising and highly respected and reputed Adjudicator, supported by highly experienced specialist consultants, CRM ensures foreseeable issues are 'designed out', unforeseen conflicts are 'worked out', unavoidable disputes are 'closed out', and irreconcilable differences are resolved in the most optimum way.

Our experience and unique perspective affords our clients, and their advisers, exceptional insight into what the journey to dispute resolution looks like, and the implications of each commercial decision at each stage, regarding outcomes – ideally helping to stop short of expensive, unpredictable and often avoidable litigation.

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## Examples of commissions instructed by Solicitors

- **PQS and Commercial Services:** relating to remedial works to water damaged Private Dwelling, Central London.  
**Instructed by:** construction team for mid-sized, multi-discipline law firm.
- **Expert Witness Report:** relating to specialist subcontractor works; Hotel Scheme, Lancaster.  
**Instructed by:** construction head, mid-sized general law firm.
- **Cost, Programme and Commercial Services:** relating to consequential costs arising from remedial works for faulty specialist subcontract package integral to sale of development between freeholders, time critical retail scheme, East Midlands.  
**Instructed by:** construction head, regional general law firm.
- **Expert Report and Advice:** regarding remediation of defective works and allocation of costs and responsibilities; office development Surrey.  
**Instructed by:** specialist construction law firm.
- **Expert Report for Adjudication:** Regarding Entitlement to Time, money and culpability relating to defects and damages in dispute between main and specialist subcontractors: residential scheme, London.  
**Instructed by:** construction team, mid-sized general law firm.
- **Expert Report, PQS and Commercial services:** to remediate faulty repairs; private dwelling, London.  
**Instructed by:** specialist construction law firm.
- **Status Review, Project Intervention and Recovery:** to support resisting demolition order, by Building Control, arising from serious contractual delay [following main contractor, collapse], and subsequent instruction; Retail, Restaurant and Residential project.  
**Instructed by:** construction head, mid-sized, general law firm.
- **Appointment as Employer's Rep.; Commercial Review; variation account sense check:** regarding contractor performance; office refurbishment, Central London.  
**Instructed by:** construction head, mid-sized, general law firm.
- **Defects Report (commercial); 'as-built' quality review:** regarding both Vendor and Tenant schemes; Office Fit Out (Cat A legacy and tenant Cat B project).  
**Instructed by:** construction head, mid-sized, general law firm.
- **Quantum Expert Report, Litigation Support:** on valuation of remedial works; recovery of on-costs; Private Dwelling, SW London.  
**Instructed by:** specialist construction law firm.
- **Quantum and Time & Delay Expert Report** arising from professional negligence (Architect) Private Dwelling, SW London.  
**Instructed by:** specialist construction law firm.
- **'Third Expert' determination:** Contractual/Commercial Dispute, based on desk-top review, to identify valuation of [final account / Disputed Balance Outstanding].  
**Instructed by:** construction head, mid-sized, general law firm.
- **Dispute Valuation:** Desktop exercise on behalf of developer, in dispute with client, to determine accurate and robust valuations.  
**Instructed by:** specialist construction law firm.

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### Office locations

Sansomes Cottage

Angel Lane

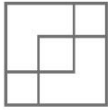
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