

What's the risk of dispute on your contract?

A quick snapshot for Project Directors You are invited to copy this page and use it to regularly check the risk of dispute on each of your contracts.

Contract name	Date of assessment	Project Director	Project Manager
---------------	--------------------	------------------	-----------------

					How to manage the risk?	
1	What is the extent of variations requested of the Contractor?	<input type="checkbox"/> none	<input type="checkbox"/> minor	<input type="checkbox"/> significant	<input type="checkbox"/> unsure	Extensive variations can lead to work disruption and increase the risk of disputes. Promptly and cooperatively discuss all variations with the Contractor.
2	What is the quantity and value of unresolved variations?	<input type="checkbox"/> none	<input type="checkbox"/> low	<input type="checkbox"/> high	<input type="checkbox"/> unsure	Project Directors should act to reduce the number of unresolved variations and the length of time they have been unresolved.
3	How many errors or ambiguities have been found in the contract documents including drawings?	<input type="checkbox"/> none	<input type="checkbox"/> few	<input type="checkbox"/> significant	<input type="checkbox"/> unsure	Address issues or contract changes early and resolve them cooperatively before they become critical.
4	Have changes been made to the standard form contract?	<input type="checkbox"/> no	<input type="checkbox"/> minor alteration	<input type="checkbox"/> yes	<input type="checkbox"/> unsure	Non-standard clauses may be misunderstood heightening the risk of dispute. Ensure emerging issues are resolved cooperatively and promptly.
5	Have site meetings become unpleasant or uncooperative?	<input type="checkbox"/> no	<input type="checkbox"/> a little	<input type="checkbox"/> yes	<input type="checkbox"/> unsure	Identify the cause and address the issue. Senior Executives or external facilitators may provide assistance.
6	Does the Contractor believe the Principal has caused delays that extend the project duration?	<input type="checkbox"/> by < 5%	<input type="checkbox"/> by 5% - 10%	<input type="checkbox"/> by >10%	<input type="checkbox"/> unsure	Identify the cause and address the issue causing delays. Deal with any delay claim quickly. If a delay claim is unresolved request a position paper.
7	Has wet weather or industrial action delayed the project and extended project duration?	<input type="checkbox"/> by < 5%	<input type="checkbox"/> by 5% - 10%	<input type="checkbox"/> by >10%	<input type="checkbox"/> unsure	Ensure emerging issues are resolved promptly and cooperatively. Time and cost pressures heighten risk of dispute.
8	Was the Contractor's tender price below market value?	<input type="checkbox"/> by < 5%	<input type="checkbox"/> by 5% - 10%	<input type="checkbox"/> by >10%	<input type="checkbox"/> unsure	Ensure emerging issues are resolved promptly and cooperatively. Time and cost pressures heighten risk of dispute.
9	Is the Contractor experiencing problems from risks that have been realised?	<input type="checkbox"/> minor problems	<input type="checkbox"/> moderate problems	<input type="checkbox"/> significant problems	<input type="checkbox"/> unsure	Ensure emerging issues are resolved promptly and cooperatively. Time and cost pressures heighten risk of dispute.
10	If in dispute, is there a position paper?	<input type="checkbox"/> thorough position paper	<input type="checkbox"/> position paper but no risk analysis	<input type="checkbox"/> no position paper	<input type="checkbox"/> unsure	Request a thorough position paper. Robust analysis aids effective and prompt resolution.

					What's the dispute risk on your contract?				
		0 points for each tick in this column	2 points for each tick in this column	10 points for each tick in this column	10 points for each tick in this column	Low below 10	Medium 10-24	High 25-29	Very high 30 or over
Total your score					<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
					<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>