

Your route through Delay Damages Prevention

A sample report, built from invented answers, to show what yours will look like.

This report is based only on your answers, before we have seen any of your papers. It is not legal advice, and you should not rely on any date or time limit in it: check every date against your subcontract. Legal questions go to your solicitor.

Where you stand

Your delay is still inside its notice period, so the notice can still go in time. Send it before anything else in this report.

In your routine, the first thing to fix is knowing the notice rules. Your answers suggest your team does not work to notice periods read from each signed subcontract, and every other step depends on them.

That matters more because your subcontract makes the notice a condition of any extension. One notice sent a few days late could lose the extension for that delay.

Your team leaves the notice until later, and under your subcontract a late notice may lose the extension. The notice can go the week the delay starts; only the estimate has to wait, and it follows in the particulars.

Your subcontract sets a rate with no cap, so a long late finish can cost more than the job earns. Every week your completion date moves is a week at that rate you cannot be charged.

Many subcontracts amend the standard form's notice periods and the address for notices. A period carried over from another job can be wrong by days.

An extension application is waiting for a decision. Most subcontracts give your main contractor a set period to decide. Silence does not mean the time is not due, but if you let it lie, damages may be counted from your original date.

One person sends every delay notice, with no cover. That gap shows in a holiday fortnight or a busy month, when a notice period runs out before anyone writes.

What to do now

In order: the first ones cannot wait.

1. Send the delay notice now, inside its period (today)

Why: A notice sent in time keeps your right to more time open. Once the period passes, you may lose the extension, or get less time than the delay deserves.

How: Write a short notice: what is delayed, what caused it, when it started, and that the particulars will follow. Send it to the person and by the route your subcontract names, and keep proof it went. If you want

it written for you, send us the subcontract and the dates, and we write it for you to send within its period.

2. Write your subcontract's delay rules on one page

Why: A notice is only in time against the period your subcontract sets. It only counts if it goes to the person, and by the route, that your subcontract names.

How: Open the signed subcontract at the extension of time clause and any schedule of amendments. Note which events can extend your time, how soon a notice must go, what it must say, who gets it and how. Then note when the particulars must follow, how long your main contractor has to decide, the completion date and any sections. Put it on one page your site and commercial leads keep to hand.

3. Work out what a week of delay costs you

Why: A weekly rate looks small on the page. Multiplied by a realistic overrun and set beside your margin, it shows your team what each notice is worth.

How: Multiply the rate by a realistic worst-case overrun for the job, and set it beside the margin. Tell your site and commercial leads what a week costs. Before you sign your next subcontract, ask for a cap where there is none.

4. Treat each notice period as a hard deadline

Why: Where the notice is a condition of any extension, the first question is not whether the delay was real. It is whether you notified it in time.

How: Put the notice period at the top of your site team's list. Send a short notice the same week a delay starts, even before you know its effect, and let the particulars follow.

5. Send each delay notice the week the delay starts

Why: The notice period usually runs from when the delay became apparent, not from when you could measure it. A short notice in time keeps your right to more time open, and your estimate of the effect follows in the particulars.

How: Give your site lead a short list of the events that count. For example: late access, late information, other trades in the way, and instructions that add work. When one happens, send a short written notice that week. Say what is delayed, what caused it, when it started, and that the particulars will follow. Send it to the person and by the route your subcontract names, and keep proof it went.

6. Diary the particulars date the day each notice goes

Why: The notice keeps your right to more time open, but the particulars get the extension decided. Without them, the extension may never be decided, and damages may be counted from the original date.

How: When a notice goes, put the particulars deadline in the diary. Then set out the event, its dates, the work it affected and what your team did instead. Add your best estimate of the effect on your completion date. Attach the records, and send an update when the effect changes.

7. Chase the decision in writing once its period passes

Why: A written chase that cites the period for a decision keeps the application live, and shows you pressed for an answer.

How: Find the period your subcontract gives your main contractor to decide, and when it starts, usually from receiving your particulars. Diary that date. If it passes with no decision, write saying the period has passed and asking for the decision, and keep a copy with the application.

8. Add access and information dates to what your team already records

Why: An extension application rests on dated records. They show when access was promised and given, when information was asked for and received, and what your team could not do. Records made at the time count for far more than ones rebuilt later.

How: Keep the diary your site lead already fills in, and add three lines each day. Note the areas not ready, the information still awaited, and the work the gang could not do. Keep a simple log of when access and each drawing or answer was promised, and when it came. Date every photo.

9. Name who spots a delay, who sends the notice, and who covers each

Why: Delay notices are missed when the person who sees the delay is not the person who sends the letter. Naming both, with cover, closes that gap.

How: List it by role: who on site reports a delay, who writes and signs the notice, and who diaries the particulars and chases the reply. Put a second person against each one for holidays and sick days, and make sure both know.

10. Keep every delay notice and reply exactly as it went or arrived

Why: If a charge for delay ever comes, it turns on dates: when the delay started, when you notified it and when the particulars went. The original email keeps its date and time; a copy or a printout may not.

How: Make one folder for delays on each job. Save each notice and each set of particulars as the email that sent it, and each reply as it came in. Do not edit or rename the attachments.

What to gather

Everything the work is built from. Copies are fine: send what you have and we will tell you what is missing.

- **The signed subcontract.** A complete PDF with all schedules and amendments, the completion dates or periods, the extension of time clauses and any damages rate included.

Where to find it: The commercial folder or the order email normally holds the signed copy.

- **The current programme and the completion dates you are working to.** The latest issued programme for your works and any revised dates already agreed, as issued.

Where to find it: The planner's files, your main contractor's latest programme issue, or the site manager's copy.

- **Any delay notices or extension requests already sent, and the replies.** As sent and received, with the emails that carried them, dates intact.

Where to find it: The commercial inbox, the site manager's sent items and the formal correspondence file.

- **The records your site team keeps now.** Diaries, allocation sheets, access and information logs, photographs, as they are, not tidied up.

Where to find it: The site manager's diary, the day sheets in the site office and the photo folders on the team's phones.

- **Who on site spots a delay and who can send a notice.** Names and roles: the site lead, the commercial lead, and who signs contractual letters.

Where to find it: This is rarely written down. A short email from you is enough.

Why Quantsurv

You can do a good deal of this yourself, and the steps above show how. If you would rather have it done for you, or want the notices checked before you act, this is the work we do.

- **Specialists in exactly this.** We work only for subcontractors, on the claims and disputes that cost them money. Behind it: 10 years on the commercial side of construction, and £100m+ of construction projects worked on.
- **A fixed fee, agreed first.** We never bill by the hour. Fixed set-up fee including the trial run, agreed before work starts. Optional monthly checks have a fixed fee agreed first. Pause between jobs or stop at month-end. If the work runs over, the cost is ours, not yours.
- **Fast where it matters.** Ten working days. A fixed fee also gives us every reason to finish quickly.

How Delay Damages Prevention would run for you

The whole service, step by step. Where your answers decide a route, it is shown under the step it belongs to.

Step 01 You tell us how delays are handled today

One call on the job, the subcontract, the programme and any delays already running. The first conversation is free and commits you to nothing.

Step 02 We confirm the scope, the fixed fee and the timetable in writing

We set out which jobs are covered, what you get and when. Nothing starts until you have agreed it in writing.

What you get: A written scope, fixed fee and timetable

Step 03 You choose the scope and decide whether to go ahead

You can go ahead as proposed, change the scope or stop there. Whatever you choose is confirmed in writing.

Step 04 You send us the paperwork

We build the routine from the list below: what your subcontract requires and what your site team already records.

Step 05 We map your subcontract's delay rules

We put the completion dates, the events that extend time, the notice and particulars rules, the reply periods and the damages terms onto one page. Your site and commercial leads keep it to hand.

What you get: Your subcontract's delay rules on one page, agreed with you in writing

- **If a notice is a condition of any extension:** we mark it as a time bar: a late notice can lose you the extension. It gets the earliest reminder in the register.

Step 06 We check how delays are notified on your job now

We set your notices, applications and site records so far against the rules. That shows what has been notified, what has not, and what is still in time.

What you get: A written list of what has been notified, what has not, and what is still in time

- **If a delay is running and still inside its notice period:** the notice goes out now, in your name, from the new template.

Step 07 We set up the register and the notice templates

A delay register on your systems counts down each notice and particulars deadline. The notice, particulars and update templates use your subcontract's own terms, addressed as it requires.

What you get: A delay register, and notice, particulars and update templates in your subcontract's own terms

- **Where your subcontract gives your main contractor a period to decide:** the decision date goes in the register too, with a chaser ready for the day it passes.

Step 08 We set up the records an extension rests on

Your site team gets a short trigger list of the events to watch for. Behind each notice sit the records: when access was promised and given, when information was asked for and received, and the work your team could not do.

What you get: A site trigger list, and a records routine built on what your team already keeps

Step 09 We walk your site and commercial leads through it

We set it up on your systems with the people who spot delays and the people who send the letters. Each step gets a named person and a deputy, so a notice still goes out during a holiday fortnight.

What you get: The routine set up on your systems, each step with a named person and a deputy

Step 10 You run it on a live delay event or your next month on site

Your team runs the routine with us alongside. The event is logged, the notice goes out within its period, the particulars date goes in the diary and the reply is chased.

Step 11 We check the live run and correct anything it shows

We read the register, the notices and the records from the live run against the rules. Anything missed is put right before handover.

What you get: A checked live run, with anything missed put right

Step 12 We hand over the routine in writing

One short written routine: who spots a delay, who sends what, and by when. It survives a change of site manager or commercial lead.

What you get: The written routine: who spots a delay, who sends what, and by when

Step 13 You run it from then on, with the Ongoing check if you choose

Your people keep the register and send the notices in your name. With the optional Ongoing check, we sample the register, the notices and the records each month.

What you get: With the Ongoing check, a short written report each month

Step 14 We leave you with a routine your team runs

You receive a one-page guide to the delay rules and notice dates, supported by a deadline register, notice templates and a site-record checklist. We provide a written routine and test it on your job.

Your path through the questions

The questions you answered, in order, as the page crew them. Your answers are in yellow, with the line running through them.

Which is closest to where you are now?

No delays yet; we want our notices and records right from the start

A delay is holding up our work on a job right now

We have been charged for delay before, and want it to stop

Delay damages are being charged or taken off our payments now

We want paying for what a delay has cost us

Is a delay notice, or the particulars that follow one, due on any job in the next 7 days?

Yes

No

Not sure

Has that delay been notified to your main contractor in writing?

Yes, in writing

Not yet, but we are still inside the notice period

No, and the notice period has passed

Only by word of mouth, or in site meeting minutes

Not sure

Do you have a signed copy of the subcontract, with its amendments, for each live job?

Yes, for every job

Some were never signed, or we only have the tender version

Not sure

Has your main contractor given you a current programme for your works?

Yes, a current one

Only the tender programme, or an old one

No programme has been issued to us

Not sure

Does your subcontract set a rate of delay damages for a late finish, and a cap?

Yes, a rate with a cap

A rate, but no cap

No rate; they would pass their own costs down

Not sure

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graph TD; Q1[Does your team know how long it has to notify a delay, and who the notice must go to?] --> A1[Yes, read from the signed subcontract and written down]; Q1 --> B1[Roughly, from habit, another job or the standard form]; Q1 --> C1[No, we would have to look it up]; Q1 --> D1[Not sure]; B1 --> Q2[Does your subcontract say a late delay notice loses you the extension?]; Q2 --> A2[Yes]; Q2 --> B2[No, it only says we must notify]; Q2 --> C2[Not sure]; A2 --> Q3[When a delay starts on site, what usually happens?]; Q3 --> A3[Site tells the office, and a notice goes that week]; Q3 --> B3[Everyone knows about it, but the notice often does not go]; Q3 --> C3[We wait until we know how long it will last]; Q3 --> D3[We sort it all out at the end of the job]; Q3 --> E3[Not sure]; C3 --> Q4[After a delay notice goes, do the particulars your subcontract asks for follow in time?]; Q4 --> A4[Yes, within the period, with the records]; Q4 --> B4[Rarely: the notice is usually the last thing we send]; Q4 --> C4[Sometimes, or late]; Q4 --> D4[We have not had to send a delay notice yet]; Q4 --> E4[Not sure]; C4 --> Q5[Where do your extension of time applications on live jobs stand?]; Q5 --> A5[We have not applied for any]; Q5 --> B5[Each one has been decided]; Q5 --> C5[One is still waiting for a decision]; Q5 --> D5[One was refused, or we got less time than we asked for]; Q5 --> E5[Not sure]; C5 --> Q6[Does your site team keep dated records of when access was given and information arrived?]; Q6 --> A6[Yes, every day, with dated photos]; Q6 --> B6[A diary or day sheets, but not access or information dates]; Q6 --> C6[Very little is written down]; Q6 --> D6[Not sure]; B6 --> Q7[Who sends your delay notices, and who covers when they are away?]; Q7 --> A7[A named person, with named cover]; Q7 --> B7[One person, with no cover]; Q7 --> C7[Whoever has time that week]; Q7 --> D7[Not sure];
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Does your team know how long it has to notify a delay, and who the notice must go to?

Yes, read from the signed subcontract and written down

Roughly, from habit, another job or the standard form

No, we would have to look it up

Not sure

Does your subcontract say a late delay notice loses you the extension?

Yes

No, it only says we must notify

Not sure

When a delay starts on site, what usually happens?

Site tells the office, and a notice goes that week

We wait until we know how long it will last

Everyone knows about it, but the notice often does not go

We sort it all out at the end of the job

Not sure

After a delay notice goes, do the particulars your subcontract asks for follow in time?

Yes, within the period, with the records

Sometimes, or late

Rarely: the notice is usually the last thing we send

We have not had to send a delay notice yet

Not sure

Where do your extension of time applications on live jobs stand?

We have not applied for any

Each one has been decided

One is still waiting for a decision

One was refused, or we got less time than we asked for

Not sure

Does your site team keep dated records of when access was given and information arrived?

Yes, every day, with dated photos

A diary or day sheets, but not access or information dates

Very little is written down

Not sure

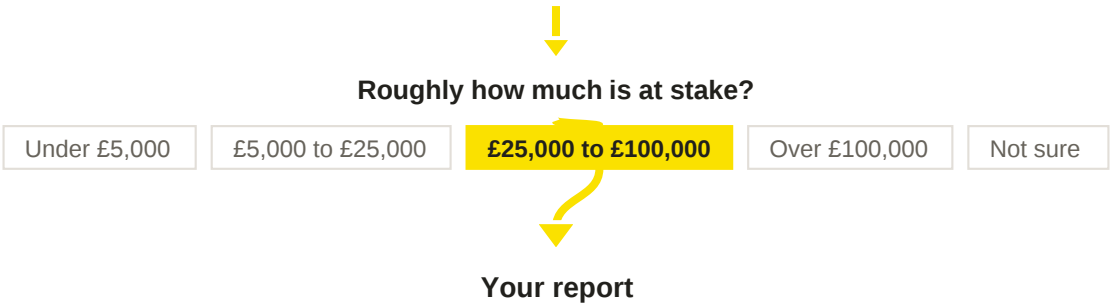
Who sends your delay notices, and who covers when they are away?

A named person, with named cover

One person, with no cover

Whoever has time that week

Not sure



Next step

The first conversation is free and commits you to nothing. Reply to the email this report came with, or email contact@quantsurv.com, and we will already have your answers.