

Key Considerations When a Construction or Engineering Dispute Arises

When seeking legal advice about a construction or engineering dispute, it is helpful to gather the relevant information and consider the following points.

-  **The Contract**
Providing the complete signed contract, including schedules and amendments, helps your solicitor establish the parties' rights, obligations and agreed dispute resolution procedures.
-  **The Nature of the Dispute**
A clear summary of what has happened, what is disputed and the outcome you are seeking allows the key legal and commercial issues to be identified quickly.
-  **The Project Timeline**
A chronology of significant events, instructions, delays and correspondence can help establish how the dispute developed and identify important contractual deadlines.
-  **Notices and Correspondence**
Providing copies of relevant notices, emails, letters and meeting records can help determine what positions have already been taken and whether contractual procedures have been followed.
-  **Payment Records**
Where the dispute involves payment, gather applications, valuations, invoices, payment notices, pay less notices and records of sums paid or withheld.
-  **Changes and Instructions**
Records of variations, instructions and changes to the scope of works are particularly important where there is disagreement over entitlement to additional time or payment.

-  **Supporting Evidence**
Photographs, programmes, drawings, expert reports, site records and other contemporaneous documents may be important in establishing what happened and supporting your position.
-  **The Commercial Relationship**
Consider whether you expect to continue working with the other party, as this may influence whether negotiation, mediation or a more formal dispute resolution process is most appropriate.
-  **The Outcome You Want to Achieve**
Understanding whether your priority is payment, additional time, recovering losses, defending a claim or reaching a commercial settlement helps determine the most effective strategy.
-  **Urgency and Deadlines**
Let your solicitor know about any immediate project deadlines, threatened proceedings or time-sensitive contractual requirements so that urgent steps can be prioritised.



Chester Office
Knights Court
1 Weaver Street
Chester, Cheshire
CH1 2BQ
01244 354 800



Liverpool Office
3rd Floor
No. 4 St Paul's Square
Liverpool
L3 9SJ
0151 321 0000