



# Transforming Negotiations & Results

How P. Kolon CC Inc. (PKCC) Enacts a  
Claims Management Strategy

# Transforming Negotiations

- PKCC is more than a leader in forensic analysis and dispute resolution.
- PKCC are a fully integrated, multidisciplinary team whose combined expertise spans commercial strategy, claims management, project controls, and scheduling.
- Our approach is founded on collaboration, a focus on the agile assessment of legal, technical, and contractual perspectives, and effective visual communication.

# Transforming Negotiations

- Claims for Extension of Time and Compensation for Delay and Disruption are often presented with a time-impacted schedule analysis that provide unbalanced emphasis on alleged client-generated delays.
- However, a fact-based forensic delay analysis supported by other contemporaneous records, particularly site photos, will provide a more accurate account of specific circumstances.
- This type of analysis provides a clear understanding of causation, liability, and risk and informs claims management strategy.

# Transforming Negotiations: Case Study 1

- On a heavy civil construction development, the PKCC team was retained to assess complex allegations related to design coordination and project delays.
- Without relying on existing analysis and fragmented narratives, PKCC reconstructed the project timeline using photos, information requests, submittals and other records to create an as-built critical path.
- This methodical analysis reduced the client's perceived exposure by six months, creating a pathway to resolution for the client.

# Transforming Negotiations: Case Study 2

- In a major multi-contract infrastructure project, PKCC applied an integrated schedule analysis to evaluate the cumulative effects of design revisions, material constraints, and environmental conditions.
- PKCC demonstrated that the client could successfully mitigate over six months of delay, thereby shifting the dialogue from claims to proactive planning and payment for acceleration.
- Collaboration empowered the client, and the clarity formed the basis for future project control, managed by PKCC.

# Transforming Negotiations: Case Study 3

- In assisting a client to assess allegations of liability for negligence, errors, and omissions, PKCC adopted a common-sense approach to the issues.
- A schedule analysis presented suggested that the client may have a significant liability. However, when reviewed with site photographic records, the schedule analysis was clearly flawed and contained evidence of the claimant's own liability.
- PKCC re-balanced and transformed client expectations, limiting their risk and exposure.

# Transforming Negotiations

- By guiding clients to a better understanding of delays and their consequences, PKCC has helped:
  - Consultants/ Designers,
  - Contractors and,
  - Subcontractors.
- For many clients, having a factually accurate analysis of project delays has transformed business expectations and created the basis of an informed claims management strategy.

# Transforming Negotiations

- What distinguishes PKCC is not simply its technical excellence, but its ability to communicate complexity with clarity.
- PKCC doesn't just quantify delay; we provide context, making scheduling and project controls strategic assets for decision-makers.
- Visual storytelling, data integration, and legal and commercial alignment are hallmarks of PKCC's approach to transforming clients' ability to successfully negotiate.