

MCLE Presentation/Outline

CONSTRUCTION **SUPER**CONFERENCE

2025

CONSTRUCTIONSUPERCONFERENCE.COM



Leveraging Emerging Technology (Outside of AI) to Win Claims

I. Panel Introductions



Jeff Jessamine
Project Director, Mega Projects
Balfour Beatty



Ted Scott
Managing Director
Secretariat



David McPherson
Managing Partner
Watt Tieder



Nick Kurth
Managing Director
Secretariat



Henry Bangert
Founding Partner
BBG Construction Law

II. Introduction – Topic Overview

- Leveraging Emerging Technology For:
 - a. Work quantification
 - b. Issue visualization
 - c. Time impact analysis
 - d. Damage calculation



III. Construction Disputes

- Common Claim types:
 - a. Delay & Disruption
 - b. Productivity impact
 - c. Design negligence
 - d. Change in scope
 - e. Differing site conditions



III. Construction Disputes

- Claim Process & Dispute Resolution Procedures
 - a. Executive Negotiation
 - b. DRB/DAAB/Project Neutral
 - c. Mediation
 - d. Arbitration (domestic and international)
 - e. Litigation



VS



III. Construction Disputes

- The Audience
 - a. Client
 - b. Client's claims expert/consultant
 - c. Governing body
 - d. Mediator
 - e. Neutral
 - f. Judge/Jury



IV. Claim Development & Prosecution

- Technology Tools
 - a. CPM Software
 - b. 3D Modeling
 - c. 4D Scheduling
 - d. Animation
 - e. Reality capture
 - f. 3D Printing
 - g. Virtual & Augmented Reality



IV. Claim Development & Prosecution

- Delay, Disruption & Productivity Impacts

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IV. Claim Development & Prosecution

- Delay, Disruption & Productivity Impacts

Insert video here

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Insert images here

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- Delay, Disruption & Productivity Impacts

Insert video here

IV. Claim Development & Prosecution

- Design Negligence

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IV. Claim Development & Prosecution

- Change in Scope & Differing Site Conditions

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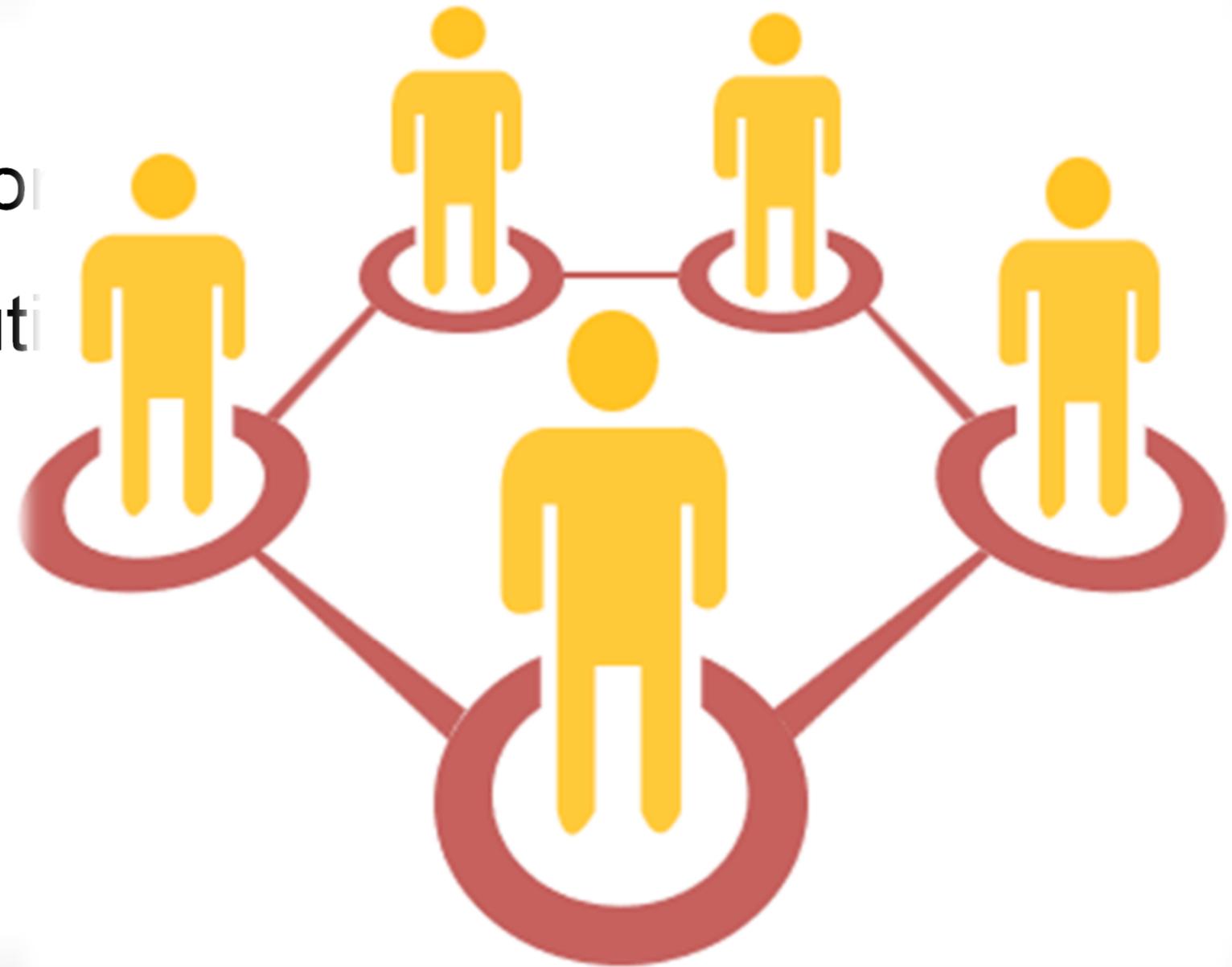
IV. Claim Development & Prosecution

- Change in Scope & Differing Site Conditions

Insert images here

V. Claim Development & Prosecution

- Dispute Avoidance
 - a. Benefits of early resolution
 - b. Precipitating early resolution
 - c. Showing your hand
 - d. Client delay tactics



V. Claim Development & Prosecution

- Application in Claim Prosecution
 - a. Admissibility
 - b. Expert engagement
 - c. Preponderance of evidence



V. Claim Presentation Old School vs. New School

- Delay Claim – Old School

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V. Claim Presentation Old School vs. New School

- Delay Claim – New School

Insert videos here

V. Claim Presentation Old School vs. New School

- Inefficiency Claim – Old School

Insert images here

V. Claim Presentation Old School vs. New School

- Inefficiency Claim – New School

Insert videos here

V. Claim Presentation Old School vs. New School

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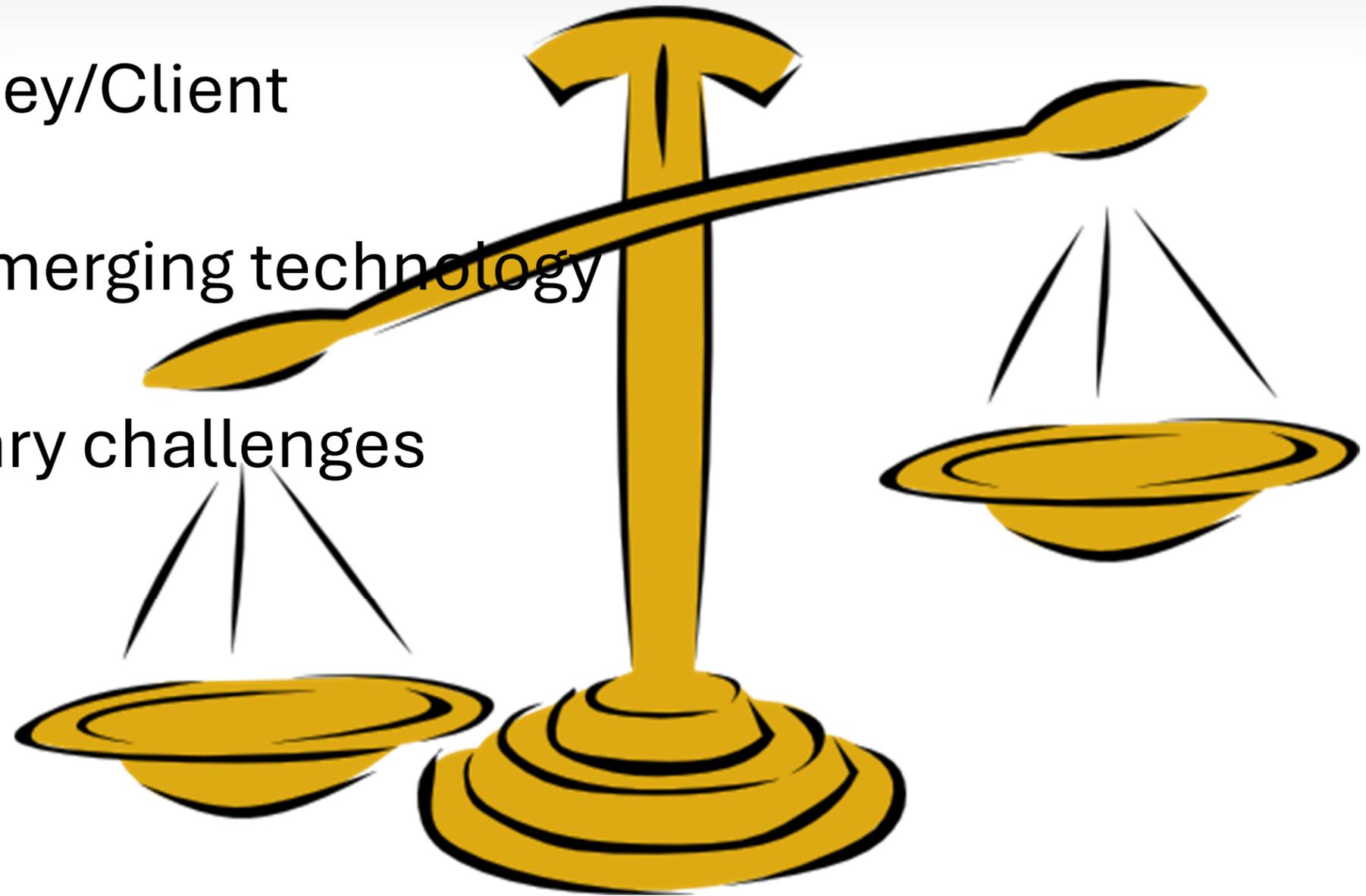
V. Claim Presentation Old School vs. New School

- Design Negligence

Insert video here

VI. Tipping the Scales

- Convincing the Attorney/Client
- View and weight on emerging technology
- Overcoming evidentiary challenges



Audience Discussion