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CFCC3. Abstract – Much has
been written over the years
about proving and pricing

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construction projects. But little has been published about subcontractor delay claims.

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of the necessary elements to justify a delay claim can be a priceless advantage.

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Types, Claims, and Defenses
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Claims, Third Edition, 137

AD2d 509, 510 (2nd Dept 1988) ("While it is a "long established rule that the proper measure of damages for permanent injury to real property is the lesser of the decline in market value

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and the cost of ~~Claiming Third Edition~~

restoration", the burden is on the defendant, "to prove that a lesser amount than that claimed ...

Cabrera v Green Complex,

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Inc. : 2013 : New York
Other ...

A Labor Law § 200 claim is not absolute and in order to be found responsible for negligently failing to provide a safe place to work, an owner or contractor

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must have either actual notice or constructive notice of the dangerous condition which caused the accident. *Tkach v. City of New York*, 278 A.D.2d 227, 717 N.Y.S.2d 290 (2d Dep't 2000) ...

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The total cost method seeks to convert a standard fixed-price construction contract into a cost reimbursement

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arrangement. R. Cushman & D. Carpenter, Proving and Pricing Construction Claims 36 (1990). The total estimated cost of performance is subtracted from total actual cost of performance.

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frowned on and accepted only in extreme cases. The modified total cost method attempts to address those weaknesses but still faces similar ...

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