Best Practices for Defending Against Scope Creep
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In government contracting, “scope creep” refers to when the agreed-upon scope of work in a contract is gradually expanded or changed by the government agency. When scope creep occurs, contractors can face devastating financial losses due to increased work without corresponding increases to contract time and compensation. It is imperative that project teams learn to quickly identify, document, and preserve their claims before these minor changes escalate into costly problems. Frequent causes of scope creep include: (1) a poorly defined scope of work; (2) frequent changes; and (3) a lack of communication. The causes of scope creep can be avoided by: (a) adopting detailed contract language; (b) establishing and following a formal process for requesting and approving changes; (c) utilizing project management tools to monitor progress and potential scope changes; and (d) maintaining open and transparent communication between the parties. Our presentation will cover what government contractors should do after they “do the right thing” by ignoring their contract’s claim notice procedures and incur additional costs to keep the project on schedule. We will provide an overview of “best practices” for documenting costs, submitting requests for equitable adjustment, and other standard dispute resolution provisions.