

Construction

Co-Chairs

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Our construction attorneys provide counsel and representation at all stages of construction projects, anticipating, and mitigating risks throughout the contracting process, often resulting in major cost savings. We represent a wide range of public and private entities, including owners, contractors, heavy highway contractors, subcontractors, construction managers, architects, engineers, construction trade associations, sureties, international reinsurers, and suppliers, involved in construction projects nationally.

Overview

Our Construction Practice Group provides counsel and representation at all stages of construction projects, anticipating, and mitigating risks throughout the contracting process, often resulting in major cost savings. We represent a wide range of public and private entities, including owners, contractors, heavy highway contractors, subcontractors, construction managers, architects, engineers, construction trade associations, sureties, international reinsurers, and suppliers, involved in construction projects nationally.

Our attorneys have decades of experience in the construction, surety, and engineering industries, and several members are active in the ABA Forum on the Construction Industry, ABA Fidelity and Surety Law Committee, ABA Public Contracts Section, and the Transportation Research Board, among other professional organizations. The Group also includes an active alternate dispute resolution practice, including participation in proceedings before the American Arbitration Association, as advocates and arbitrators in complex construction and commercial matters.

Services provided include:

- Alternate dispute resolution
- Claims analysis
- Class action litigation
- Contract drafting and review
- Construction litigation, arbitration, and mediation
- Federal, state, and local government construction contracts
- In-house briefings, seminars, and training
- Insurance coverage advice
- Representation in the United States Court of Federal Claims
- Reinsurance
- Surety/contractor default terminations and related litigation, arbitration, and mediation

FROM PRE-CONSTRUCTION TO COMPLETION

The Group provides advice at all stages of the construction project, anticipating and mitigating risks throughout the contracting process, often resulting in major cost savings. Pre-construction stages of services provided include:

- Drafting, reviewing and negotiating construction contracts; and

- Counseling clients on matters of claims avoidance, project delivery methods, risk management, and scheduling issues.

The Group proactively, and promptly, addresses contract administration issues to lessen the chances of litigation or arbitration. These issues may include:

- Assisting clients in properly documenting problems or positions.
- Providing advice on contract interpretation.
- Negotiating change orders and contract adjustments.

When disputes cannot be prevented or resolved through planning or negotiation, the Group is prepared for aggressive prosecution or vigorous defense. We represent clients in many state and federal courts and state boards of contract appeals, as well as administrative agencies. The Group is also experienced in arbitration, and in alternative dispute resolution procedures, such as mediation and mini-trials.

MULTIDISCIPLINARY APPROACH

Our Group works closely with attorneys and practices across Post & Schell, including:

- Casualty Litigation attorneys who have extensive experience with complex construction defect and injury cases.
- Environmental attorneys when environmental problems arise during construction, including wetlands and stormwater requirements, erosion control, waste disposal, site assessment, and remediation and “clean fill” issues on contaminated sites, response to current spills, and asbestos requirements related to demolition.
- Labor and Employment attorneys experienced in the full range of workplace and employment matters and litigation involving all major local, state, and federal employment statutes.