

## Construction

Despite today's uncertain economy, construction along the northeastern corridor is booming. Billions of dollars in new projects are underway. Every one of those projects--resort, hotel, convention center, hospital, school, highway, apartment, office complex, and home development--is unique. Yet builders and developers all share one goal: to deliver their projects on time and on budget. In order to do that, they must deal successfully with a host of tough issues: environmental and safety regulations, contracts, financing, insurance, labor and employment, taxes, licenses, claims, permits, politics, property rights, accommodations for the disabled and, frequently, disputes and litigation that can interfere with work at critically important times.

Flaster Greenberg is focused on the construction industry with a multi-faceted group of knowledgeable attorneys that not only are experienced in construction law and alternative dispute resolution, but environmental law, labor and employment, financial restructuring and bankruptcy. While we are especially skilled in dispute resolution, we are ready to prosecute or defend claims vigorously through every level of litigation. Moreover, we assist contractors, subcontractors, suppliers, sureties, private owners, architects and engineers with every facet of construction. As always, we work with our clients to develop sound strategic options and successful business strategies.

From financing to regulatory approval to dispute resolution, our attorneys apply an extensive knowledge of the financial markets and the real estate industry to facilitate construction projects. We understand the specialized needs of contractors, developers and their lenders, and offer focused assistance to ensure successful completion in a wide range of commercial construction projects.

### Government Approvals

Our lawyers are particularly adept at securing all the details of local and municipal governmental approvals necessary for construction and development projects. Matters and disputes that we handle are typified by:

- Zoning issues, including special uses, variations and site plan approvals
- Development agreements, including annexation and land acquisition matters
- Right-of-way adjustments
- Landmark designation and historical preservation issues
- Building code and licensing matters
- Public body representation, from zoning boards to legislative committees

### Attorneys

Thomas J. Durling

Marty M. Judge

J. Philip Kirchner

John G. Koch

Robert M. Washburn

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## Litigation

Flaster Greenberg's construction litigation practice is part of our commercial litigation practice group. We work hard to avoid or resolve issues that can lead to litigation, but when arbitration or trial is necessary, we are effective advocates for contractors and owners. Our experience in construction disputes encompasses:

- Contract disputes
- Performance and completion bond disputes
- Warranty claims
- Defect claims, including design error and materials failure
- Professional liability of architects and engineers
- Defective installation and workmanship
- Construction site accident investigation and defense
- Labor dispute arbitrations

We have nationally recognized capabilities in construction litigation and have handled matters concerning environmental contamination and cleanup at the site of the World Trade Center.

## Construction Industry Leadership

Flaster Greenberg's construction industry practice typifies the strengths of our firm. We have the financial industry contacts and experience in the U.S. and many other countries to get any financing deal done. And we zealously advance and defend our clients' interests in negotiation with public bodies, in arbitration or in court against adverse parties.

Flaster Greenberg is committed to building success. We understand the construction industry faces legal issues that cut across virtually every aspect of the business from contract reviews to permitting, insurance to financing, delays to cumulative impact and surety bond claims. How these issues are resolved can have a major impact on a company, its image and its bottom line.

## Building Success

Our attorneys have the experience to help manage and overcome the diverse challenges you deal with every day. Our projects run the spectrum from mass transportation and industrial facilities to medical and hospitality projects.

## Broad Industry Experience

Our experience touches on all areas of the construction industry including pre-construction planning, bid-packaging, employment issues, procurement, environmental permitting, project financing, contract drafting and review, claims preparation and litigation.

We represent clients throughout the Northeast, including public and private owners, developers, design professionals, contractors, subcontractors and suppliers. We also serve several national bonding companies.

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Our practice consists of:

- Multiparty and complex construction-related litigation in state and federal courts
- Mediation and arbitration proceedings
- Mechanics' liens and bond claims
- Project planning and contract review
- Surety and insurance matters
- Federal, state and local procurement
- Insurance coverage actions

### **A Broad-Based Team**

Our construction team often works with other practice groups within the firm to provide clients with comprehensive legal services.

- Environmental Group concerning issues of air and water quality
- Real Estate and Land Use Group in the financing and development aspects of projects
- Labor and Employment Group for the development and implementation of employment policies and procedures
- Bankruptcy, Financial Restructuring and Risk Management Group when project participants encounter financial difficulties

Myriad complex legal issues govern the construction industry, creating business realities that confound construction companies of all sizes.

Flaster Greenberg's team has a comprehensive understanding of the legalities that rule the industry. Our seasoned construction law attorneys work closely with owners, developers, design professionals, contractors, subcontractors and suppliers in all aspects of public and private construction. By staying involved in our clients' business matters, we have helped them quickly and cost-effectively resolve disputes arising from construction-related agreements.

We represent participants in all aspects of the construction and building materials industry, including public and private owners, developers, lenders, public entities, insurance companies, financial institutions, general and specialty contractors, construction managers, design professionals, architects and engineers. We also serve as counsel to building industry associations and workers' unions, as well as building material manufacturers and suppliers.

Flaster Greenberg is involved in construction projects varying in size and scope from single-family residences and recreational sports facilities, to multimillion-dollar commercial and highway projects.