McElroy Deutsch

Construction



A national reputation in construction law and litigation.

The highly experienced construction lawyers at McElroy Deutsch represent owners, general contractors, construction managers, subcontractors, sureties and architectural and engineering design professionals in all aspects of the design, procurement and construction of commercial, healthcare, educational, industrial, institutional, multi-family housing, and state and federal infrastructure projects throughout the United States, and internationally. Our law firm's construction expertise also includes the representation of multi-national engineer, procure and construct ("EPC") contractors, on projects involving power plants, petro/chemical refineries, off-shore wind farms, mining, and military bases.

Our construction attorneys have extensive experience working with clients from the conceptual and financing phase, through site development, contract drafting, insurance strategies, engineering and design, project management, project counseling, regulatory matters, OSHA violations, and project close-out, with an emphasis on maximizing cost-efficiency. Our experience with a broad array of contract delivery models, including lump sum general contracting, construction management, design-build, EPC, EPCM, GMP, integrated project delivery, cost-plus and public-private partnerships allows us to provide experienced counsel on any matter.

Litigation, arbitration, mediation and other forms of dispute resolution, when necessary, are areas of particular emphasis and part of the law firm's history. Our construction lawyers have represented their clients for over 30 years in the various types of disputes arising out of construction projects, including bid protests, breach of contract claims, disputed change orders, schedule delays, disruptions, lost productivity, mechanic's liens, contract defaults and terminations, and claims alleging professional

negligence, defective design and/or construction. Our experience affords McElroy Deutsch the ability to provide a full suite of turn-key solutions for our clients.

The team of appellate lawyers at McElroy Deutsch are also particularly well versed and experienced in handling construction related matters on appeal to state and federal appellate courts.

McElroy Deutsch is ranked as one of *The Top 50 Construction Law Firms*™ by *Construction Executive* magazine and our attorneys are individually ranked as industry leaders by Chambers USA™ and Super Lawyers™.

Representative Cases

Results may vary depending on your particular facts and legal circumstances.

- Obtained a declaration on summary judgment that ExWorks had a first priority lien in a defaulting borrower's nuclear cooling equipment. Multiple parties, including a commercial landlord and competing lenders, had been vying for first lien position. The court held that neither a landlord's lien nor lien circularity could defeat ExWorks' lien. The court's ruling accorded ExWorks all of the proceeds from the sale of the equipment.
- Defended Montclair State University against a contractor's $8 million claim for delay and other damages on the Frank Sinatra Residence Facility Project. Also resolved the contractor's $8 million claim for delay for less than 10% of the claim amount on the John J. Cali School of Music Project.
- Defended Yale University against contractor claims for cost overruns on a college hall reconstruction project.
- Pursued a claim on behalf of Georgian Court University against the architect of the University's Health and Wellness Center for contract change orders arising out of design errors and omissions. Also guided the University through the bankruptcy of its architect in the middle of a major three-building renovation by utilizing the bankruptcy court and transitioning the project to a new architect for successful completion.

Related Industries

Construction
Education
Government (Federal, State & Local)
Insurance
International







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