



## CONSTRUCTION

Conner & Winters boasts skilled construction lawyers. We understand the complex and varied risks faced by the construction industry and provide sophisticated legal services. We couple these abilities with efficiency in addressing the needs and meeting the goals of our construction clients.

### Representing the construction industry

Conner & Winters represents general contractors, design professionals, owners, developers, engineers, subcontractors, and material suppliers. Our representation extends to projects of all dimensions, from a single use residential project to a complex oil and gas terminal on the Baltic Sea. The firm handles multimillion dollar projects as a matter of course. Our knowledge of the construction industry combined with our representation of clients in all key roles in the industry positions our attorneys to offer comprehensive legal services.

### Arbitration and mediation

Many construction disputes are resolved through alternative dispute resolution methods, such as arbitration and mediation. Our construction attorneys routinely handle construction disputes under AAA, ICC, and other applicable rules and procedures.

### Bid, contract and finance structuring

The firm's attorneys guide clients throughout the entire bid and contract process. We provide counseling related to bidding techniques and the establishment of bid bonds, performance bonds, material bonds, payment bonds, and standby letters of credit in connection with construction contracts. Our attorneys frequently assist clients in drafting, reviewing, and interpreting

### ATTORNEYS

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construction, engineering and architectural services contracts, subcontracts, work orders, joint venture agreements, and alliance agreements — including standard and modified AIA, CMAA, and EJDC contracts. We provide analysis on common issues such as indemnification, insurance, and warranty provisions. Additionally, the firm works on lending transactions for commercial construction projects for lenders, owners, and developers.

### **Building codes, standards, and regulations**

Our attorneys lead clients through the often complex tasks of interpreting and complying with construction, engineering, and architectural licensing statutes and regulations. Our lawyers are familiar with ASME, ASTM, BOCA and other codes and standards, as well as industry regulations.

### **Litigation**

Our attorneys are well equipped to handle construction-related litigation. Litigation matters routinely handled by the firm's construction lawyers include disputes involving:

- Acceleration
- Changes
- Construction defects
- Delay and disruption claims
- Design defects
- Differing site conditions
- Labor and equipment efficiency
- Material escalation
- Mechanic's and materialmen's liens
- Payment and performance bonds
- Payment claims
- Project management
- Project overhead
- Subcontractor claims
- Termination for default or convenience
- Warranty and project close-out

### **PRACTICES**

Alternative Dispute Resolution  
Banking and Finance  
Corporate and Securities  
Energy  
Environmental  
Insurance  
Labor and Employment  
Land Use and Zoning  
Real Estate  
Tax

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### **Project counseling**

Our attorneys combine their construction knowledge and industry insights to negotiate with owners, engineers, and architects when clashes arise over construction projects. We work with our clients in resolving issues related to substantial completion, contract termination, change orders, extra work claims, delay damages, concealed or unknown site conditions, and force majeure conditions.

### **Representative projects**

While the firm has handled the legal aspects of a myriad of construction projects for our clients, the following representative types of projects confirm the strength and spectrum of this practice area:

- Commercial buildings from small to large
- Educational facilities
- Hospitals
- Hotels
- Materials processing plants
- Native American casinos and other tribal-owned buildings
- Nursing homes
- Oil and gas terminals, pipelines and pump stations
- Public/private partnership housing developments
- State-owned lodges
- Residential high rise buildings
- Retail space
- Sports arenas

### **Applying a multidisciplinary approach to construction law**

Each construction project is unique and requires counsel with the ability to focus on the client's specific needs. As a full-service law firm, we are able to staff projects with attorneys from a variety of our substantive practice areas as our clients' needs require, including alternative dispute resolution, banking and finance, corporate and securities, energy, environmental, insurance, international, labor and employment, real estate and tax.

Learn more about our capabilities in the construction industry by contacting one of the attorneys listed on the right.

## Publications & Events

Employment Law Alert: Practical Advice for Employers Considering Mandatory Vaccination Policies in the Workplace  
08.11.2021