

CONSTRUCTION



Construction Overview

Jimerson Birr is able to assist with all phases of a construction project, from design and planning, to contract negotiation, preparation, bidding and procurement, environmental review, construction administration, insurance coverage counseling and claims, scheduling modifications, change order documentation, contract compliance, project close out, surety/bond issues, litigation, lien protection or enforcement, and dispute avoidance and resolution. Our legal and construction industry experience keeps in mind overall business goals in the construction process and helps your company minimize its risk in the event a dispute arises.

PROJECT CONTRACTING, ADMINISTRATION AND DISPUTE AVOIDANCE

Proper and timely planning provides the foundation for construction project implementation, including contract awarding and monitoring. Planning identifies what services are needed and when, how they should be provided, and what provisions should be included in a construction services contract. Jimerson Birr's Construction Industry Team works hand in glove with our construction industry clientele to develop the project's goals and objectives during the planning stage, and define them during the contracting stage. Early involvement of our team in a project will ensure that it is well documented with a formal, binding document that: (1) protects the interests of your company, (2) identifies the scope and breadth of responsibilities of the parties to the contract, (3) defines what is to be delivered and when, and (4) documents the mutual agreement, the substance, and parameters of what was agreed upon. Once the project has commenced, our team is able to help ensure the terms of the contract are complied with and enforced. Contract monitoring is an essential part of the contracting process. Our contract compliance program is geared toward ensuring that contractors comply with contract terms, performance expectations are achieved, and any problems are identified and resolved. Without a sound monitoring process, no contracting party has adequate assurance it receives what it contracted for.

CONSTRUCTION DISPUTES & LITIGATION

Unfortunately, not every construction project can be administered amicably. Issues involving alleged construction defects, scheduling, the interpretation of contracts, specifications or drawings, or involving payment sometimes require legal intervention. When that is necessary, how effectively your interests are protected is directly affected by the quality of legal service you secure. Where disputes are inevitable, Jimerson Birr provides representation in arbitration, mediation, and litigation in court. Whether you are an owner, developer, licensed contractor or subcontractor, construction supplier, or a design professional, avoiding and successfully litigating construction-related legal issues are crucial to your company's survival. Jimerson Birr diligently works with its construction industry clients to ensure they stay abreast of salient construction law issues, and are taking the proper steps to protect their rights in advance of and during a construction-related dispute. Through our proactive litigation approach, the most important service we can provide is to ensure that our construction clients are devoting their energy and attention to running a profitable business, rather than wasting time and resources anguishing over the intricacies of the oft-entangled construction laws ex-post facto.

While we strive to resolve disputes through negotiation and preventive action, we specialize in vigorously representing our clients in litigation through aggressive prosecution of their claims. Our lawyers emphasize business realism and focus on reaching practical solutions in a timely manner with strict adherence to the myriad of contractual and statutory notification and filing deadlines associated with any construction project.

WHO WE SERVE

- > General Contractors
- > Design-Builders
- > Trade Subcontractors
- > Material & Equipment Suppliers
- > Design Professionals
- > Developers and Building Owners

WHAT WE DO FOR THE CONSTRUCTION INDUSTRY

Jimerson Birr recognizes that companies in the risky, complex, and fast-paced construction sector depend on sound counsel for mission-critical operational, legal and regulatory issues. We are committed to the goal of helping construction business executives mitigate risk and prevent problems before they arise or escalate.

- > We stay fully apprised of changes to construction laws and industry trends in order to proactively keep our clients informed through our educational efforts and industry wide training initiatives.

- > We draft and prepare contract documents in a manner that will make the language more understandable, address the primary risks of your particular business and project, and bring the documents into compliance with changes in law or trends in the industry.
- > Our dedication to efficient and cost-conscious practice of law, in conjunction with innovative and flexible compensation terms, enable us to help construction executives effectively plan and maintain their budgets without surprise.
- > We have the resources and bandwidth to address legal issues which may occur in the everyday management and operation of the business.

Our Construction Industry Attorneys cover all aspects of a company's legal needs, with specialty service offerings centered around:

- > Building Department/Permitting
- > Government Procurement and Bid Protests
- > Construction Litigation (lien/bond foreclosure and priority, prompt payment law, change order disputes, differing site conditions, retainage disputes, surety claims, delay claims, defect claims, pay when paid claims, liquidated damages disputes)
- > Construction Contract Review and Drafting (prime contract, subcontracts, lien waivers/releases, AIA, etc.)
- > Construction Litigation (payment disputes, lien/bond claims, defect claims, delay claims, surety claims, differing site conditions, change order disputes, breach of contract)
- > Defective construction claims (specialty) Competitive Procurement and Bid Protests
- > Delayed Construction Claims (specialty) Building Department Issues and Permitting
- > Environmental Diligence, Compliance, Permitting and Mitigation
- > Indemnity/Subrogation
- > Construction Licensing and DBPR/Regulator Representation
- > Workplace Safety, OSHA and CDC Compliance
- > Project Interruptions, Administration and Closeout
- > Public-Private Partnerships
- > Warranty and Punch List Administration Representation
- > Women & Minority Business Certification (WBE/MBE)
- > Workers Compensation Advisement and Violations
- > Construction Lending

More than just Construction Industry Law specialists, Jimerson Birr has a team of attorneys with experience and expertise in every legal issue you may encounter, including:

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| <ul style="list-style-type: none"> > Accounts Receivable and Judgment Collections > Appeals > Administrative Law and Licensing > Arbitration & Mediation > Asset Protection Law > Bet The Company Litigation > Bankruptcy and Restructuring > Borrower Representation > Business Litigation > Business Process Consulting > Corporate and Board of Directors Governance and Operations Counsel > Corporate Formation, Transactions and Dissolution > Class Action Litigation Defense > Data Privacy and Cybersecurity > Disaster and Crisis Preparation and Response > Economic Development and Government Incentives > Eminent Domain Law > Employment Law > Environmental Diligence, Compliance, Permitting and Mitigation > Executive Coaching > Fair Credit Reporting Act Defense > Fair Debt Collection Practices Act Defense > Florida Consumer Collection Practices Act Defense | <ul style="list-style-type: none"> > Florida Registered Agent Services > General Counsel for Small Businesses or Start Up Companies > Government Procurement and Bid Protests > Governmental Relations and Advocacy > Immigration Law for Businesses > Insurance Procurement and Coverage > Intellectual Property Protection > Landlord/Tenant Leasing (Commercial) > Land Use and Zoning > Legal Opinions > Opportunity Zone Investing > Public-Private Partnerships > Premises Liability > Property Insurance Claims > Property Tax Disputes > Real Estate Transactions & Disputes > Receiverships > Records Management and Document Retention > Shareholder Disputes and Derivative Litigation > Subpoena Response > Telephone Consumer Protection Act Defense > Trade Secret Protection > Vendor Contracting > Workplace Safety, OSHA and CDC Compliance |
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Attorneys

