Construction

Trenam's Construction Law Group represents clients in every facet of the construction industry, including public and private owners, developers, and general and trade contractors. From negotiating and drafting construction contracts, to counseling clients during construction to avoid contract disputes, our attorneys offer practical advice to clients in every stage of the construction process. Our team consists of Florida Bar Board Certified and other construction attorneys who have worked in every aspect of the construction industry from laborers to architects, and include an attorney certified as a LEED AP professional.

Core Services Include

- Drafting and negotiation of construction contracts
- Arbitration, mediation and litigation of construction disputes
- Building performance disputes
- Proactive support before, during and after construction projects
- Design malpractice disputes
- Preventive strategies for avoiding disputes
- Lien and Bond law
- Construction insurance disputes
- Environmental risk regulations and laws
- SBA Contracting
- Bid Protests

Whether it is drafting construction documents or advising clients during or after a construction project, our goal is to proactively allocate and avoid risk. Our Building Performance Team assists clients in building envelope issues from design malpractice to insurance coverage issues.

We are experienced in a wide range of project delivery options and the risks inherent in each, and utilize AIA software to revise form contracts to properly allocate risk. We are experienced in design/build, general contractor, construction manager, construction manager at risk, and EPC contracts. We handle all aspects of the development process, including the preparation of contracts, bid documents, completion guarantees, performance guarantees, construction lending, credit enhancement and all aspects of construction lien and bond claims.

In the area of alternative dispute resolution, our attorneys are active arbitrators with the American Arbitration Association and include Florida Supreme Court Certified Mediators. Our attorneys routinely participate in various types of alternative dispute resolution proceedings, including arbitrations, mediations, dispute review boards, mini-trials, structured negotiations and other forms of expedited processes to resolve disputes efficiently and at low cost, whether as advocates for our clients or as mediators and arbitrations on construction disputes. We represent clients in construction matters at all tiers of the Federal and State court systems and administrative agencies, including the Armed Services and Civilian Boards of Contract Appeals, and the Court of Federal Claims. We offer counsel and representation in private, court-supervised and administered international and domestic construction arbitration proceedings.

Our attorneys are experienced in the preparation of federal government construction claims and the litigation of disputes before the respective Boards of Contract Appeals.

Our construction attorneys frequently speak, write, and teach in both Florida and national construction law programs, and are the authors and editors of nationally recognized and utilized construction law texts and manuals.

Representative Matters

- Trial counsel for major Fortune 500 multinational conglomerate corporation in various industrial, commercial and/or retail product liability defense matters involving complex economic, personal injury, wrongful death and/or property damage claims. Matters have included, but are not limited to, coal-fired furnace and boiler explosion litigation; power plant generator related litigation; commercial and retail product and/or appliance litigation; and similar matters.
- Lead litigation counsel for a major public transportation authority over the collapse of an elevated expressway which resulted in litigation and mediation with various design team members, settling design and insurance claims and obtaining for the authority over $85.75 million.
- Successfully defended to a zero verdict a five-week jury trial for a Top 10 world-wide engineering firm and two of its engineers in a $50 million design malpractice claim for the design of a gravity sewer and lift station.
- Successfully defended a world-wide engineering and construction firm in a one week federal court trial, obtaining a judgment in excess of $1,000,000 on a counterclaim involving construction contracting on a military base and defeating a $1 million plus claim by the subcontractor.
- Lead trial counsel for a major electrical utility in a one month trial against a major international engineering firm, securing a judgment confirmed on appeal of over $40.6 million.
  Florida construction counsel for a Bolivian corporation in an ICDR arbitration claim of over $10 million for the construction of a three hundred mile power transmission line in Chile. Assisted New York arbitration counsel in

obtaining a favorable settlement.

- Trial counsel to publically-traded national real estate investment trust that owns, acquires, renovates, develops and manages multifamily apartment communities nationwide. Represented client in various suits involving design defects, plumbing defects, roofing defects, stucco defects, EIFS defects, water intrusion damage, insurance coverage disputes and related matters.
  Successfully defended a major public transportation authority against a $25 million claim by the contractor in dispute review committee hearings, resulting in a favorable mediated settlement for well less than half of the claim.
- Lead trial counsel for a major international design and construction firm before the United States Board of Contract Appeals regarding the design and construction of a building at a U.S. military base.
- Represented a major international design and construction firm in litigation in the Northern District of Georgia arising out of its teaming agreement with a minority contractor on seven military projects, successfully resolving the matter in the favor of client.
- Lead claims counsel for a major international design and construction firm in a $10 million claim pending in the United States Board of Contract Appeals.
- Lead litigation counsel in the successful dismissal of a qui tam whistleblower fraud case against a government contractor sued for over $600 million in damages. Obtained an involuntary dismissal of the claim during discovery.
- Lead litigation counsel in the successful defense of a government contractor sued in a $22 million qui tam whistleblower fraud case. Obtained an involuntary dismissal after the third day of trial.
- Successfully represented a client in an ICC International Arbitration in Canada in a dispute with its Belgium distributor, achieving a favorable result in the ICC arbitration that resulted in a favorable mediated settlement of claims pending in the Belgium Commercial Court.
- Successfully represented high-end residential homebuilder client seeking damages for the breach of an interior design agreement by sophisticated homeowners. After a multi-day trial involving complex evidentiary and contract interpretation issues, the trial court awarded the client the full amount of damages sought and declared the client to be the prevailing party for the purposes of awarding attorneys' fees.
- Counsel to structural steel fabricators and/or erectors in various construction related matters including, but not limited to, contract drafting, risk management, construction litigation, lien foreclosure and collection, and related matters.
- Trial defense counsel for a mortgage company in complex multi-million dollar suit involving an alleged conspiracy to violate the Interstate Land Sales Full Disclosure Act and Florida Uniform Land Sales Practices Act issues. Obtained a full dismissal on behalf of client.
- Represented general contractor in dispute with owner, resulting in an extremely favorable settlement for client reached on the last day of a jury trial.
- Represented various general contractors, subcontractors, and suppliers in construction disputes resulting in favorable settlements for the client after negotiations and settlement discussions in lieu of litigation.
- Represented stucco contractor in dispute over quality of work, resulting in a quick and favorable settlement for the client.
- Represented various homeowners in disputes with contractors resulting in favorable settlements and completion of the contracted work.
- Represented owners/developers and contractors in multi-million dollar matters involving claims of contractor performance and delay on large-scale infrastructure and mixed use projects.
- Drafted and negotiated multiple public and private construction agreements for complex and multi-phased construction and development projects ranging from $2 million to $195 million.
- Represented contractor regarding construction defect and payment claims involving 42-story luxury hi-rise condominium.
- Represented national developer of government buildings against the General Services Administration for unpaid increased construction costs.
- Represented publically traded lender against claims of lender liability and improper funding of construction loans.
- Defended contractors and developers in condominium defect claims arising upon transfer of control of the association.

Please click here to view news and publications related to our Construction Law Group.