KAUFMAN | DOLOWICH

Mansfield Rule
Certified 2022-2023

Construction Law

A Construction Attorney for All Your Legal Needs

Kaufman Dolowich's construction law practice is well-known throughout New York and New Jersey for providing comprehensive legal services to the construction industry. By handling the full range of issues involved in both private and public construction projects, each attorney understands the broad picture while focusing on the minute details that can often have immense repercussions.

Our construction lawyers handle issues at all phases of a construction project, from contract negotiations and drafting to contract administration to dispute resolution. By delivering the full scope of services, we are able to see the big picture and take proactive steps to mitigate risk. We help developers, project owners, construction managers, contractors and trade contractors limit exposure to liability and loss through effective construction administration.

Who We Represent

Kaufman Dolowich construction lawyers represent a variety of stakeholders in the construction industry. We have local and regional clients that range from professionals and family businesses to large development corporations. Our clients include:

- Architects
- Construction managers
- Developers
- Design professionals
- Engineers
- General contractors
- Material suppliers
- Property owners
- Subcontractors
- Trade contractors
- Surety companies

Your Business Need a Construction Attorney for All Claims, Litigation, Arbitration and Mediation

Our attorneys assist construction industry stakeholders in a wide scope of claims involving liens; performance, payment and bid bonds; extra work; wrongful termination; defective work; delay, and contractual breaches.

While we often seek to settle disputes, we are ready and able to take a dispute to mediation, arbitration or litigation if the other party does not agree to an equitable settlement.

A construction lawyer from our firm advise the client which course of action best suits their needs and goals. We evaluate a claim from the onset and during dispute resolution in order for our clients to understand the range of recovery and decide whether to settle the claim so as to avoid unnecessary legal costs. Our experience enables our firm to best present a claim for damages and to defend against claims.

Construction Contract Drafting, Negotiation & Interpretation

The contract sets the foundation for the entire construction project. A well-written contract can significantly reduce risks and enumerate remedies should disputes arise. For this reason, we consider contract drafting and negotiation one of Kaufman Dolowich's most important services for risk reduction and effective contract administration.

Our lawyers negotiate contract terms favorable to our clients and meticulously draft a clear, thorough agreement while keeping in mind the market realities so that our client does not waste time and money negotiating terms which will not be accepted by the other party based on industry standards. A construction attorney will also review existing contracts and suggest risk management approaches especially for public improvement contracts which cannot be negotiated with the public owner.

Compliance (M/W/DBE, OSHA, Safety)

Construction industry businesses and professionals must abide by a complex web of local, state and federal regulations that are difficult to interpret and reconcile. Complicating the matter, case law, legislation and agency regulations are constantly evolving, and businesses are expected to immediately understand and adapt to these changes.

Our lawyers remain up-to-date on the laws and how changes impact our clients' businesses and projects. We guide our clients through compliance issues related to all aspects of OSHA/Safety, wage, the Buy American Act, LEED, and Minority, Women-Owned, and Disadvantaged Business Enterprises (M/W/DBE) .

Notice Requirements

Notice provisions (especially in public improvement contracts) generally impose on the contractor an obligation to notify the other side concerning items such as termination, delays, extra work, extensions of time, and damages.

Adherence to the notice requirements is essential to preserving claim rights or defending against claims. Our lawyers meticulously review key contract administration clauses governing notice time frames, content of notices and waivers. We assist our clients in analyzing breach of the notice provisions, the appropriate actions and available relief.

Risk Management

The construction business is fraught with risk and project issues/problems can give rise to liability and damages. Contractors, therefore, must consider a strong risk management plan. Our attorneys draft effective risk management contract provisions, including risk shifting provisions and indemnity clauses. We also help construction businesses implement comprehensive risk management practices and programs. We also review insurance coverage to ensure the business is fully protected from loss and liability.

Contact a Construction Attorney at Kaufman Dolowich to Ensure Your Business is Protected

Our philosophy is that avoiding the problem is better than fixing it and we anticipate issues that may arise and preemptively create solutions. Thus, consulting with a construction lawyer at Kaufman Dolowich may open your eyes to issues you did not foresee. Whether you want preemptive planning or litigation is pending, contact our team today.

Construction Law's Leaders

- Andrew L. Richards
- Erik Ortmann

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