



## Andrew L. Richards

### Overview

Andrew L. Richards has more than 30 years of experience in construction and surety law, commercial litigation, and errors and omissions defense for architects and engineers. With respect to construction law litigation, he represents property owners, developers, general contractors, construction managers, trade/subcontractors, architects, engineers, material suppliers and surety companies. His experience encompasses both private construction and public improvement projects. Andrew also drafts and negotiates construction contracts, and renders advice to clients during a project to avoid post project litigation. His broad commercial litigation experience includes shareholder disputes, employment disputes, fraud claims, real estate disputes, discrimination claims and finders' fee claims.

### Admissions

- New York
- New Jersey
- Connecticut
- U.S. District Court
  - Southern District of New York
  - Eastern District of New York
  - District of New Jersey
- U.S. Court of Appeals
  - Second Circuit

### Education

- Brooklyn Law School – J.D.
- Vassar College – B.A., Economics

### Professional Memberships

- Subcontractors Trade Association of the City of New York – General Counsel
- New York State Bar Association
- Association of General Contractors of the City of New York
- Associated General Contractors of New York State



Co-Managing Partner of Long Island Office  
Co-Chair of Construction Practice Group

### Contact Information

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### Related Practices

- Construction Law
- Construction Contract Drafting, Negotiation & Interpretation
- Property Damage and Construction Liability
- Professional Liability/Errors and Omissions - Defense
- Architects and Engineers
- Commercial Litigation
- Shareholder and Partnership Disputes
- Claims, Litigation, Arbitration and Mediation
- Construction Regulation Compliance (M/W/DBE, OSHA, Safety)

- Long Island Contractors' Association
- Construction Financial Management Association, Long Island Chapter Board of Directors
- Long Island Real Estate Group, Board of Directors
- New York Building Congress
- New York State Gaming Commission
- State of Florida Gaming And Control Commission

## Awards

## Recognition

- General Counsel, STA
- Who's Who in Corporate Law, Long Island Business News (June 2011)
- Super Lawyers

## Publications

- Navigating the Best Evidence Rule, by Andrew Richards, Esq., published by STA, Legal Log, 2-2024
- Contractors: Beware of Personal Liability for Business Debts, by Andrew L. Richards, Esq., 11-6-2023
- "Excavation Quality Assurance Act," by Andrew Richards, Esq. published in Subcontractors Trade Association, 10-26-2023
- Law Alert: New York Passes Roadway Excavation Quality Assurance Act by Andrew L. Richards, Esq. and Erik Ortmann, Esq.
- "Will AI take your construction job? Only if you want it to." quotes from Andrew Richards, Esq., Construction Dive Magazine, 5-15-2023
- Andrew Richards, Esq., "Why should I retain an attorney who concentrates in construction law? NY Real Estate Journal, 12-13-2022
- Maintaining Project Records Could Be The Deciding Factor For Successful Litigation, author Andrew Richards, Esq., New York Real Estate Journal
- Despite unfairness, blanket liens are invalid, New York Real Estate Journal, author Andrew Richards, Esq., June 28, 2022
- Notices of Claim on NYCHA Projects, STA Legal Log, by Andrew Richards, Esq., March 2022
- Contractual Limitations Periods, STA Legal Log, by Andrew Richards, Esq., 2-2022
- Preserving Claims Under Section 137(3) of the State Finance Law, author Andrew Richards, Esq., STA Legal Log, January 2022
- Owners Win and Contractors Lose: Delay Claims in the First Department, article by Andrew Richards, New York Real Estate Journal
- The Dotted Line: Supply chain woes lead to possible breach, defect claims, Construction Dive, quoted Andrew Richards
- Does an Employer or Employee Pay for COVID Testing When An Owner or Prime Contractor Requires Testing for a Field Worker to Work On Site, authors Andrew Richards and Matthew Cohen, STA Legal Log, October 2021

- *Richards of KD Named General Counsel for STA board, New York Real Estate Journal Daily Newsletter, October 5, 2021*
- *Pros and Cons of an Architect as Initial Decision Maker in AIA Contracts, Sept. 9, 2021, NY Real Estate Journal, by Andrew Richards*
- *You May Have a Great Case But You Have To Prove It, NYREJ*
- *No Damage for Delay Clauses as Interpreted by The Appellate Division, First Department, NYREJ*
- *Real property transfers prior to filing a mechanic's lien and a contractor's recourse under the lien law, NYREJ*
- *Construction trade unions take different approaches to keeping workers safe during pandemic, ConstructionDive, ft. Andrew Richards*
- *Tutor Perini lands \$31M in change orders for San Francisco subway project, ConstructionDive, ft. Andrew Richards*
- *Contract and bid rescission: Be careful when submitting bids and exercise due diligence, NYREJ*
- *Arbitration versus Litigation in Construction Contracts: Considerations to Take into Account, NYREJ*
- *First and Second Departments Differ on Issue of Workers Injured While on Break or Entering/Exiting a Construction Site, New York Law Journal*
- *KD Alert: Court Issues Decision With Severe Implications For Delay Damage Pleading*
- *The Importance of Termination Provisions in a Construction Contract, NYREJ*
- *NY Gov. Vetoes 'Game-Changing' Construction Bill, Law360, ft. Andrew Richards*
- *Housing Market Discrimination: Analysis of impact case and its effect on builders/developers, NY Real Estate Journal, by Megan Yllanes, Esq., & Andrew Richards, Esq., 4-21-2016*

## News

- *Law Alert: New York State Governor Signs Retainage Bill Into Law, by Andrew Richards, Esq., 11-20-2023*
- *KD Alert - Prevailing Wage Now Applicable to Private Construction*
- *NEW YORK STATE UPDATE: ESD Narrows Construction Exemption from Workforce Reduction Order*
- *New York State Update: COVID-19 Guidance for Construction*
- *KD Alert: New Law Signed by Governor Cuomo Benefits Contractors Seeking Payment from New York City School Construction Authority*
- *KD Alert: Public Authority Law Reform (SCA) Assembly Bill 5443 Vetoed by Governor Cuomo*

## Speaking Engagements

- *Building Better Together: A Design Professional and Subcontractor Roundtable, Subcontractors Trade Association, March 17, 2022*
- *The Impact of COVID-19 on Construction Law, LIREG, April 15, 2020: The Impact of COVID-19 on Construction Law*
- *Long Island Chapter of the Construction Financial Management Association - Joint Venture Entity Structure Roundtable: Joint Venture Entity Structure Roundtable Legal, Tax, Surety and Insurance Issues*
- *Construction Financial Management Association Breakfast Panel: New York State Labor Laws 240/241*
- *STA General Membership Meeting - Andrew Richards, Presenter: The Construction Contractors Act*

## *Speaking Engagements*

- *Lead Speaker, How to Better Manage Contracts, Preserve Claims, and Reduce Project Risk, Subcontractors Trade Association, October 18, 2022*