



Construction Contract Dispute Resolution

Our Construction Contract Dispute Resolution team represents general contractors, subcontractors and other construction industry professionals in identifying, preparing and resolving contract disputes. Together, the partners in the Construction Contract Dispute Resolution practice have over 50 years of collective experience providing contractors with skilled and strategic representation in all facets of construction contract matters. Our team has extensive experience in matters involving contract compliance, breaches of contract, delay, disruption and extra work claims, and payment and change order disputes. We also routinely provide our clients with ongoing construction project support, including claim documentation and assisting with claims prevention and early resolution. In addition, clients trust our team to handle project-related issues, including union and labor disputes, DBE/MWBE formation and compliance, and questions of contract interpretation and enforceability. We also work closely with our clients' sureties in addressing performance and payment bond claims, negotiating issues relating to indemnity agreements, completion agreements, and mechanic's lien matters.

Our team's experience includes negotiating and litigating numerous multi-million dollar claims arising out of public projects involving owners such as the City of New York agencies including the Department of Design and Construction, Department of Transportation, Department of Environmental Protection, Department of Parks and Recreation and Economic Development Corporation, the New York State Department of Transportation, and the Port Authority of New York and New Jersey. Our attorneys have also negotiated and litigated claims and other contract disputes on behalf of general and subcontractors on privately owned projects involving owners, construction managers, and developers such as Tishman Construction Corporation, Skanska, Brookfield Properties, and SL Green Realty Corp. We have handled claims and other contract disputes arising out of some of the largest and most complex construction projects in New York, including the Freedom Tower, Reconstruction of West Side Highway, Queensboro Bridge, Croton Water Treatment Plant, Manhattan West and One Vanderbilt.

Decades of Experience in Construction Contract Dispute Resolution

Whenever possible, our goal is to bring our clients' claims and disputes to successful resolution prior to or in the early stages of litigation. We advise clients on the best course of action to achieve their goals by continuously evaluating claims and ensuring our clients are able to make informed decisions that minimize costs and maximize efficiency and recovery. We have a history of favorable results through the use of alternative dispute resolution procedures, including arbitration, mediation, and settlement. Our team has successfully used mediation on behalf of many general contractors and subcontractors to achieve the resolution of numerous multi-million dollar claims through the use of practical and creative business-oriented solutions that may be unavailable in a litigation context. We have an equally impressive record of success in litigating complex, highly

technical construction claims related to both public and private projects in state and federal courts.

We have secured favorable results for our clients in cases involving claims for delay damages due to differing site conditions, extra work costs due to site contamination, failure to provide site access resulting in delay, failure to coordinate work of trade contractors, along with many others. Throughout a series of mini-trials, our team obtained a precedent-making decision applying the total cost method of damages to delay damages based on a “significant change in the character of the work”. We take particular pride in our ability to develop successful strategies to overcome the standard “no damages for delay” clauses found in the majority of today’s construction contracts.

Our diverse contractor client base includes Grace Industries, Inc., Grace Industries LLC, Tully Construction Company, Navillus Contracting, Trocom Construction Corp., Collavino Construction Company, Durr Mechanical Construction, Inc., Galasso Trucking & Rigging, and Gramercy Group, Inc.

A Full-Service Team of Leading Industry Professionals

Oftentimes construction contract disputes require the engagement of a qualified construction industry expert. We routinely assist our clients in identifying the need for an expert, selecting and retaining an expert, and making efficient and effective use of expert testimony. When needed, we also rely on the expertise of trusted construction accountants and scheduling professionals to further develop our clients’ claims.