



Construction

Bricker & Eckler's Construction Law group provides a full range of legal services to public and private owners. Our attorneys act as counsel on all aspects of construction projects, including compliance with applicable statutes and administrative rules, preparing front-end construction and bidding documents, advising on various project delivery models, addressing procurement disputes, reviewing prevailing wage issues, and resolving or litigating claims during and after construction. Our attorneys have experience preparing and negotiating general contractor, construction manager at risk and design-build agreements on projects of all sizes, including projects with budgets of over \$300 million.

A distinguishing feature of our practice is the substantial field experience many of our attorneys have in the construction industry. Our group includes attorneys who are registered professional engineers and attorneys with engineering and construction management backgrounds. This unique and practical experience in the construction industry allows us to quickly identify issues and develop pragmatic, real-world solutions that result in focused and efficient legal services for our clients.

Clients who come to Bricker & Eckler for our experience in construction law also experience the benefit of the firm's full-service capabilities. Whenever needed, we can involve attorneys seasoned in real estate transactions, environmental issues, bond issues and other financing approaches, intellectual property issues, tax matters, lease-purchase agreements, education matters and other areas of the law.

We have been involved in the construction of the following:

- Hospitals and health care facilities
- K-12 schools
- Higher education buildings
- Jails
- Libraries
- Recreation centers
- Fire and safety facilities
- Water and wastewater projects
- Courthouses
- Administrative buildings

- Fire stations
- Private developments
- Various improvements through public-private partnerships

Our construction attorneys regularly advise and represent clients in these specific areas:

- Bid and other procurement disputes
- Contract preparation and negotiation
- Defective design or construction issues
- Delay claims and schedule issues
- Dispute resolution, including information discussions, mediation, arbitration and litigation
- Energy conservation measures
- Heavy/highway construction
- Mechanics' liens
- OSHA
- Project delivery models and their advantages and disadvantages
- Surety claims and insurance coverage issues

Areas of Focus

K-12 School Construction

Bricker & Eckler's Construction group devotes a significant portion of its time to school district construction projects of all types and sizes. We work with district administrators to identify and define the statutory requirements applicable to each project, including an analysis of the benefits and risks of the various project delivery models available to school districts and the process for selecting project professionals. Services continue throughout the project to provide guidance with regard to any issues that may arise during design, procurement, construction, close-out, claims and post-occupancy. We work on classroom facilities projects undertaken through the Ohio School Facilities Commission programs.

Health Care Construction

Our highly regarded construction attorneys have represented many public and private health care facilities on all aspects of their construction projects — from the preparation of contract documents through litigation, when necessary. Our experience includes multiple prime contractor, general contractor, construction manager at risk and design-build delivery models.

Water & Wastewater Projects

Because several of our construction attorneys began their careers in the fields of water and wastewater and have advised public owners on issues associated with water and wastewater treatment and conveyance, we have a unique understanding of this high-tech business. From project delivery model selection to creating contract documents, enabling training and representing clients in construction litigation, we help water and wastewater entities adopt best practices for managing their projects.

Public Owner Representation

Bricker attorneys represent all types of public owners, including municipalities, counties, townships, port authorities, schools, libraries, water and sewer districts and more. We have in-depth knowledge of the statutory requirements specific to libraries, jails, recreation centers, courthouses, and other public entities for capital projects of all sizes and complexity. This includes providing guidance on the requirements and advantages of the full range of project delivery methods available to public owners.

Employers Facing OSHA Issues

Helping clients provide a safer workplace for their employees, Bricker's attorneys assist in matters involving the Occupational Safety and Health Administration (OSHA), including preparing for OSHA inspections, responding to OSHA citations, and representing clients before the Occupational Safety & Health Review Commission. We counsel clients from all sectors on OSHA matters, including contractors, manufacturers, hospitals, and schools, regardless of whether the matter deals with federal OSHA, state OSHA, or a state version of OSHA for public employees.

Private Developers

Our firm has extensively represented private developers in connection with urban redevelopment projects, shopping centers, multi-family housing complexes, warehouses and distribution centers, condominium developments and numerous other building projects. Our detailed knowledge of the construction process, combined with our ability to collaborate with real estate, tax, and economic development attorneys within our firm, allows us to handle a wide range of development projects from all sides of the operation, start to finish.

Higher Education Construction

Bricker attorneys have represented a number of public and private higher education institutions on all aspects of their construction projects from the preparation of contract documents through litigation, if necessary. Bricker's experience includes multiple prime contractor, general contractor, construction manager at risk and design-build delivery models, all of which can be used by public as well as private higher education institutions.

Heavy/Highway Construction

Bricker attorneys have represented numerous contractors and owners on projects involving large scale "civil" or "horizontal" projects, commonly categorized as heavy/highway construction. Services provided have included preparation of contract documents, prosecuting or defending against claims for additional time or money in connection with weather impacts, defective plans and specifications, differing site conditions, utility interferences, defective materials and construction, and other issues.

People



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