

CONSTRUCTION LAW

Construction Law Group

Our Construction Law attorneys represent and advise project owners, developers, general contractors, construction managers, subcontractors, specialty trade contractors, design professionals, engineers and other consultants, lenders, material suppliers, and manufacturers in all phases of construction, from initial planning to project completion.

Our seasoned and reputable construction lawyers regularly practice in the areas of land use and real estate acquisition, environmental law, business law and finance, construction litigation and dispute resolution, and labor and employment law. The breadth and experience of our construction attorneys gives our clients a tremendous advantage as they navigate the complexities of the construction industry.

Our construction attorneys are active and hold leadership positions in several local, regional, and national construction trade and civic organizations. Many of our attorneys have technical and in-house backgrounds. We understand the challenges our clients face on a daily basis, and our goal is always to provide the best value by obtaining successful results at reasonable costs.

The services provided by Mirick O'Connell's Construction Law Group include:

- Administrative Hearings
- American Institute of Architects (AIA) Licensed User
- Bid Protests
- Change Orders, Extra Work
- Construction Claims
- Construction Contracts Drafting, Review, Negotiation
- Construction & Design Defects
- Construction Finance, Insurance & Bonding
- Construction Litigation & Appeals
- Default & Termination Proceedings
- Delay, Impact & Acceleration Claims
- Design Delegation, Design Assist
- Designer Negligence Claims
- Designer Selection Laws
- Emergency & Crisis Response
- Employee Handbooks
- Employee Investigations & Workplace Audits
- Environmental Claims, Hazardous Materials
- False Claims Act
- Government Contracts
- Governmental Investigations & Assessments
- Indemnification Claims
- Insurance Coverage
- Labor Disputes, Harmony
- LEED Certified
- Licensing
- Liquidated Damages Claims
- Lost Productivity Claims
- Mechanic's Liens
- Mediation, Arbitration
- OSHA Investigations
- Payment Claims
- Payment & Performance Bonds
- Prevailing Wages, Wage and Hour Claims
- Private Real Estate Development



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Excellence in our work.
Excellence in client service.
Excellence in value.

Experience:

- Successfully represented a college through all phases of financing and construction of a new Center for Global Innovation and Entrepreneurship, including grant requirements, bonding, compliance, contracts and project management.
- Negotiated a favorable resolution for a general contractor in a multi-million dollar delay claim stemming from defective design documents and extended conditions in a multi-phased renovation and new construction of a hospital.
- Successfully represented a municipality in complying with the Massachusetts Designer Selection Law in connection with the construction of a new public safety complex, including selecting an architect, negotiating and drafting AIA architect and general contractor agreements, and favorably resolving multiple disputes that arose during construction and after project completion.
- Won summary judgment on behalf of a landowner against a developer who claimed that the parties had reached an agreement concerning the sale of land valued in excess of \$5 million.
- Successfully defended claims in excess of \$2 million brought by a design-builder against an owner of a senior living facility, in connection with a \$14 million construction project. The arbitration was a multi-party, complex case that spanned over 40 days of hearings.
- Managed and coordinated efforts of multi-disciplinary team of architects and engineers to permit and develop a 104-bed assisted living facility, including obtaining zoning amendments and purchasing municipal property.
- Managed and coordinated efforts of an institutional medical group's real estate and facility phasing and re-organization, including leasing and regulatory requirements, design and construction contracts, and business advice.
- Successfully represented a regional sewage treatment plant in review and approval of construction contract documents for a major renovation and expansion project.
- Represented a private owner and a developer of residential and assisted-living facilities in negotiating and preparing a contract with a design-builder for construction of a new residential development.
- Successfully represented a general contractor and its surety in defending claims on a payment bond brought by a specialty concrete subcontractor on a public works project involving renovation and build-out of a college dormitory.
- Regularly prosecute and defend mechanics' lien claims and surety bond claims.
- Serve as general counsel to several leading general contractors, construction managers, subcontractors and specialty trade contractors.
- Successfully prosecuted multi-million dollar claims for breach of contract and unfair business practices on behalf of a designer and builder of pollution control systems for power generation facilities.
- Represented an institutional client in connection with its campus expansion plans, which involved working with MEPA, DCR and DEP to obtain the required approvals.
- Regularly assist merit shop clients with union avoidance, organizing drives and elections.
- Regularly represent unionized clients in labor grievances, arbitrations, unfair labor charges and contract negotiations.
- Regularly assist clients with OSHA audits, jobsite inspections and citations.
- Successfully tried a case before the Housing Appeals Committee for a developer client against a municipality for an affordable housing project under Massachusetts General Laws, Chapter 40B.

800.922.8337

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