

Construction



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Ulmer & Berne's construction law practice has been nationally recognized by *Chambers USA: America's Leading Lawyers for Business* as one of the best in Ohio. We draw upon the expertise of a skilled group of attorneys who are knowledgeable in construction law and take a unique and special interest in the construction industry. We have several partners throughout our offices with more than 20 years of experience litigating construction law claims before state and federal courts throughout the United States, administrative agencies, and mediation and arbitration proceedings. Our attorneys have extensive experience litigating construction law claims and we are especially proud of the results obtained for our clients.

Our construction law practice offers a broad range of services. From determining the type of project delivery system through design, engineering, financing, preconstruction, construction, and close-out services, our attorneys work closely with our clients to achieve the best results. Our residential and commercial clients range from local, regional, national, and worldwide contractors and suppliers to some of the largest architectural firms and engineering firms in the region, as well as one of the top 10 largest U.S. homebuilders and one of the nation's largest specialty concrete construction companies. In addition, we have represented public and private owners on complex construction projects, including hotels, office buildings, sports arenas, parking facilities, and smaller residential projects.

Our attorneys assist clients through all phases of a construction project. We provide a range of legal services, including:

- Resolving claims and disputes related to delays, acceleration, design defects, construction defects, warranty, workmanship, and payment issues and obligations through mediation, arbitration or litigation
- Determining appropriate project delivery systems
- Assisting clients with formation of ownership and development entities, and financing options
- Drafting contracts for construction, design, engineering, subcontract relationships, and supply purchase orders
- Assisting with construction and permanent financing – including representation of many national banks, pension funds and other lending institutions



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- Experience in MBE/WBE, local hiring and other governmental requirements
- Payment and performance bonding requirements
- Bid challenges and disputes
- Joint venture agreements
- Negotiation of change orders
- Prosecution and defense of mechanic's liens and public fund attachment proceedings (including prevention, perfection, and foreclosure)
- Advice regarding compliance with and application of prevailing wage laws
- OSHA compliance, workers compensation safety regulations, and worksite injury defense
- ADA/FHA compliance and litigation
- Risk and loss prevention (insurance, security, and bond claims)
- Green building/design issues and local requirements
- Union and other labor issues
- Development or defense of claims for additional compensation

Our approach is multidisciplinary; engaging members of the Firm's other practice areas – including real estate, finance, employment and labor, environmental or intellectual property areas, among others – to advise our clients on the issues they face every day.



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Our attorneys take an active role in learning about construction. From taking classes on reading drawings or estimating projects, to visiting job sites, we work closely with our clients to understand how buildings are designed and built. By doing so, we build strong lasting relationships with our clients.

We are also proud of the successful results we have been able to obtain for our clients in courtrooms and arbitration rooms throughout the country. In Ohio, Ulmer & Berne attorneys have been involved in everything from multi-party litigation over some of the largest buildings, schools, hospitals, and stadiums in the state to addressing claims on single family residences. Our attorneys have the experience, knowledge, and depth to handle all types of construction litigation.

The attorneys at Ulmer & Berne are dedicated to the promotion of the construction industry. They have taken leadership roles on construction law committees of local bar associations and trade associations, and often are called upon to speak or write on issues of importance ranging from prevailing wage laws to evaluating damages caused by construction defects to alternative dispute resolution.



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