



Construction Owner / Developer Transactional Practice

Owners and developers face numerous risks when engaging in construction projects, including cost overruns, delays, defective work, differing site conditions, hazardous materials, liens, and force majeure (e.g., COVID-19-related impacts). It is critical that they have effective design and construction contracts that properly allocate risk and promote successful outcomes for project participants.

Our Services and What Sets Us Apart

Overview. We assist owners and developers by preparing and negotiating the contracts needed for their construction projects. Our clients include public and private entities, such as state and local government agencies, real estate developers, property owners, industrial and commercial facility managers, and foreign nations. Our projects run the spectrum in terms of size and complexity. We are adept at handling large and complex projects in excess of a billion dollars, as well as smaller routine matters. We also serve as project counsel and analyze, prosecute, and defend claims.

Vast Experience. We are highly experienced in the drafting and use of a wide variety of construction, design, and engineering contracts for numerous project delivery methods, including design-bid-build, design-build, construction management, engineer-procure-construct, build-operate-transfer, and public-private partnerships, as well as joint venture, teaming, operation and maintenance, and equipment purchase and supply agreements. We have drafted, reviewed, and negotiated hundreds of construction and design contracts for all types and sizes of projects. We maintain a contract library of the agreements we have prepared, which provides an efficient starting point for new projects.

We Understand Your Industry. Our Construction attorneys include architects and engineers, as well as a LEED® Accredited Professional. These backgrounds enable us to understand the technical and sustainability issues that owners and developers face. Further, we are active members in construction and real estate industry associations, and, as active thought leaders, we regularly publish articles and present seminars on construction topics. We proactively notify our clients about industry trends and best practices we learn through those efforts.

Authors of Industry-Wide Model Contracts. Members of our Construction practice were the principal authors of the Design Build Institute of America's model contract documents. Our Construction attorneys also served on the Contract Content Advisory Board for the suite of model construction contracts known as ConsensusDOCS.

Award Winning Practice. Our award-winning national Construction practice, with more than 40 attorneys across the US, is unrivaled in its position as the preeminent firm to represent stakeholders in large, complex projects. A recent example of recognition includes the 2021 Tier 1 ranking *The Legal 500* gave Seyfarth's Construction practice, which is the highest ranking offered. Only five Construction practices in the US received that distinction.

Projects

We prepare and negotiate contracts for all types of projects, including:

- Office, mixed-use, and other commercial buildings
- Hotels, apartment buildings, and other multi-unit residential properties
- Retail buildings
- Embassies, ambassador residences, and other facilities in support of a country carrying out its foreign policy in the US
- Manufacturing, distribution, processing, and industrial facilities
- Educational facilities (K-12 and higher education)
- Transportation and infrastructure, such as airports, hangars, marine ports, highways, and transloading facilities
- Power plants, refineries, and alternative energy
- Sports and entertainment venues

Experience

We prepare and negotiate design, construction, design-build, construction management, and EPC contracts for projects across the country and abroad. A small sample of those projects is provided below.

- SoFi Stadium (Los Angeles, CA); Gillette Stadium (New England Patriots); MetLife Stadium (New York Giants and New York Jets); PNC Park (Pittsburgh Pirates); and Fusion Arena (ESports)
- Capitol Crossing, an air-rights project in Washington, DC, that includes decking over an active highway, building two bridges, and creating three new blocks of mixed-use buildings consisting of 2.2 million square feet across 7 acres
- Portfolio of hotels in numerous states and internationally, ranging from guest room renovations for operating hotels to ground-up development of luxury resorts, mechanical system upgrades, and large-scale remediation and repair projects following hurricane and earthquake damage
- Live! Casino & Hotel Philadelphia; and Live! Casino Pittsburgh
- The Centerra, a 347-unit, luxury apartment building in California
- Portfolio of shopping centers in several states
- New Australian Embassy in Washington, DC; renovation of the British Embassy in Washington, DC; and renovation of the Dutch Embassy in Washington, DC
- Martin Luther King, Jr. Memorial in Washington, DC
- University dormitories and a law school in Washington, DC
- New Central Terminal Building at LaGuardia Airport in New York
- Expansion and renovation of Reagan National Airport in Virginia, including a new, 14-gate concourse
- Reconstruction of a municipal marine port in Alaska
- Wood-based pellet manufacturing plants in Mississippi and Louisiana
- Fertilizer and industrial chemical complex in Iowa with a capacity of up to 3 million metric tons of nitrogen fertilizer and diesel exhaust fluid per year; and methanol production facility in Texas with a capacity of up to 1.75 million metric tons per year
- Renewable diesel refinery in Texas with a yearly production capacity of 85 million gallons of “drop-in” renewable diesel
- 79 megawatt and 90 megawatt biomass-fired power facilities in Georgia and North Carolina
- Model contracts for hydroelectric power plant upgrades across the US
- Roof-top solar power generation system in New Jersey

Accolades

Chambers USA 2022

Recognized Construction practice as among the best in the nation.

The Legal 500

Recognized Seyfarth's Construction practice with a ranking of “Top Tier” in 2022.

U.S. News – Best Lawyers

Named a 2022 National Tier 1 “Best Law Firm” for Construction practice.