

Design & Construction Contracts

Contract preparation is key to a successful construction project. The contract forms the basis and foundation for the entire project by addressing key issues including the standard of care for performance, indemnification, warranties, change orders, termination clauses and others. The Firm has been involved with developing contracts for different approaches to construction of new projects including design-build, construction management and turnkey construction. We work closely with clients to establish efficiencies in document control and record keeping, schedule logs, cost accounting records. We also offer educational workshops on key contract provisions for the client's staff to understand the impact of various contract provisions including learning about various methods of recovery, calculating potential damages and risks, and understanding alternative dispute resolution methods that can be address in the construction contract. The Construction Law Practice Group is intimately familiar with the full suite of AIA Form Documents and essential modifications required to properly protect its clients. Representative matters:

- Becker attorney Steven Lesser handled all of the construction contracts for the Dali Museum from the very beginning of the project until its completion. He drafted and negotiated the AIA form documents between the owner and its architect, contractors and consultants. He evaluated various claims during the process and negotiated the claims on the owner's behalf until a resolution was achieved.
- Sunrise Sports & Entertainment hired Becker and attorney Steven Lesser to handle the construction contracts for its new ice hockey practice facility for the National Hockey League's Florida Panthers. The Firm handled the contract preparation and negotiation. The contract addressed issues such as scope of project, timeline, substantial completion, payment schedule, dispute resolution, pricing, reimbursable costs, change orders, labor costs, debris removal, royalties and license fees, accounting and record keeping, payment schedule and process, termination or suspension provisions insurance, bonding and more.
- Becker attorney Steven Lesser was hired to prepare, negotiate and counsel Swire Properties Inc. on all of the construction contracts for the Brickell CitiCentre Project in Miami, Florida. This is a large scale, mixed use, green sustainability project consisting of over 5 million square feet of retail, condominium and office structures in the heart of Miami.

Claims for Defects and Deficiencies

(Community Associations, Owners, Contractors, Governmental Agencies, Design Professionals)

The Firm has handled the prosecution and defense of hundreds of varied construction-related cases, many of which have involved extremely complex issues with a multitude of defendants and scores of construction defects. Construction defects and deficiencies relating to residential, public and commercial construction including roofing defects, water intrusion, structural life safety issues; Our construction attorneys handle cases from single and multi-family dwellings to large commercial buildings, planned unit developments, retail, industrial and governmental projects. The team has decades-long experience in the representation of property owners including governmental entities, developers, homeowners, contractors and subcontractors, design professionals, sureties, materials manufacturers in connection with construction of schools and other government buildings, high rise and other residential developments, condominium conversions of older rental property, commercial property, mixed use projects.

All owners of construction projects must comply with [Chapter 558, Florida Statutes](#) ("Notice and Right to Cure") when an owner seeks damages due to construction or design defects. Our Firm has been intimately involved with the pre-suit process associated with Chapter 558. In fact, shareholder Steven Lesser has authored three articles dealing with Chapter 558 for the Florida Bar Journal which addresses the requirements and strategy associated with this statute. "How To Comply with Chapter 558 Florida Statutes: Current Challenges and Future Changes" (co-authored with Larry R. Leiby), Florida Bar Journal (February 2009); The 2004 Amendments to Florida's Construction Defect Statute: some Solutions and More Confusion, Florida Bar Journal, (2004); "Florida's New Construction Defect Statute, The Aggrieved Owner's Obstacle Course", Florida Bar Journal, (2003). Mr. Lesser has lectured lawyers throughout the State on Chapter 558, Florida Law including those attending the course to become Board Certified in Construction Law by the Florida Bar.