

Construction

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As is true with most construction projects, time is money. At Fredrikson, attorneys in our Construction Group have the experience necessary to anticipate and resolve problems before they arise, which allows more of our clients' projects to come in on time and on budget. When disputes threaten the successful or timely completion a construction project or threaten a contractor's ability to be paid for their work, we have the expertise necessary to resolve such disputes. We do this either through negotiation, mediation, arbitration, or in court with a no-nonsense approach that seeks to resolve disputes quickly and efficiently, as we understand that prolonged disputes are not ideal for anyone.

Members of our Construction Group represent owners, developers, contractors, homebuilders, architects, engineers, subcontractors, manufacturers, and suppliers on both public and private construction projects. These include commercial and retail, industrial, agricultural, residential, multi-family, and energy/biofuels construction projects across the Midwest and beyond.

Services

Our Construction Group assists our clients with a wide range of transactional and litigation/arbitration matters, including the following:

- Drafting and negotiating construction contracts, design-build contracts, architecture/engineering contracts, subcontracts, supply-chain agreements, and many more, including AIA®, ConsensusDocs®, EJCDC®, DBIA®, EPC, and BOP contracts.
- Acting as general counsel to and advising clients with all aspects of their public and private construction projects, including contracts, risk assessment and mitigation, best practices, loss prevention, project close-out, and post-project disputes.
- Handling a variety of claims and disputes for owners, contractors, sub-contractors, and design professionals, involving change orders, suspensions and terminations, delay claims, weather claims, implied warranty and express warranty claims, time extensions, additional compensation/services claims, loss productivity claims, acceleration and disruption claims, liquidated damages, insurance coverage, and many more.
- Development agreements, land use, and permitting.
- Private and public construction project financing, including tax exempt bond financing.
- Regulatory compliance and licensing.

- Labor law, including labor disputes, negotiating collective-bargaining agreements, and NLRB proceedings.
- Prevailing wage compliance advice and enforcement defense, including federal (Davis Bacon Act), state, and local requirements.
- Federal construction contracts and disputes, including requests for equitable adjustment (REAs) and claims.
- Federal construction contract compliance, including subcontract preferences (e.g., DBE, 8(a), WBE), domestic sourcing (BAA/TAA), and affirmative action.
- Compliance advice and dispute management on privately-owned construction projects with mixed federal, state, and local agency funding and compliance requirements.
- Compliance advice and enforcement defense relating to federal, state, and local subcontract preference programs (e.g., DBE, MWBE, VOSB, 8a, HUB, Indian Preference, ANC).
- Navigating private and publicly-funded construction projects on tribal land and working with tribally-owned businesses on construction projects.
- OSHA inspections, citations, and dispute resolution.
- Immigration and nationality law, including worksite enforcement, corporate compliance, and temporary worker visas.
- Prosecuting and defending defective construction and design claims.
- Contract, implied and express warranty, and product defect litigation.
- Defending architects and engineers, including with respect to claims made under their professional liability insurance policies.
- Handling builder's risk and property damage claims involving construction projects.
- Handling litigation involving jobsite accidents and injuries.
- AAA Arbitration matters.
- Pursuing and defending bid protests and mistakes.
- Mechanic's lien claims and litigation.
- Payment and performance bond claims.
- Construction audit advice.

Finally, several members of our Construction Group regularly publish construction industry articles and legal updates to clients, give presentations to various construction industry groups, and actively participate in various construction and design industry associations. Multiple members of our Construction Group have also served as Chair of the various state bar association's construction sections, and one of our attorneys was the Founding Chair of the Minnesota State Bar Association construction section.