

# DECOTIIS, FITZPATRICK & COLE, LLP

## CONSTRUCTION LAW

**FOR DEVELOPERS, OWNERS AND CONTRACTORS ALIKE, CONSTRUCTION PROJECTS CAN PRESENT DIFFICULT LEGAL ISSUES THAT REQUIRE QUICK, DECISIVE ACTION.** At any stage of a project, from bidding and procurement to contract negotiation, through performance and completion, progress can grind to a halt without solid, reliable legal advice. The DeCotiis Construction Law Practice Group has the experience, knowledge and judgment to guide clients past the pitfalls into which all too many projects and parties fall. Our experience includes both public and private projects, and representation of every conceivable stakeholder in a project.

Construction law is unique in that disputes very rarely end up in a courtroom. An ongoing project is an extraordinarily complex undertaking, and a construction attorney's primary goal is to minimize how long it takes and what it costs. This means working closely with other professionals such as engineers, architects and planners, to keep the project moving in the right direction. In addition, our firm is renowned for its expertise and track record in dealing with government-related construction issues. Many of the firm's partners have held senior positions in all levels of New Jersey government. Their knowledge of the procedures and pitfalls inherent in every project's unavoidable dealings with government is an invaluable asset for our clients.

Suretyship, bonding, and lien law problems are a frequent offshoot of troubled projects. The handling of those problems can be the salvation or undoing of a project. The Construction Law Group has successfully helped clients avert crises that seemed unavoidable, and work through crises that had already arrived. While no two cases will call for the same response, our goal, in every case, is to provide the client with a solution that will optimize the result and minimize delays, costs and frustration.

Accomplishing this task while still protecting a client's interest means striking a careful balance between being overly reactive and overly combative. While legal counsel early in the contracting process can often help to avoid disputes later, issues of performance and payment may arise in even the best-managed construction projects, issues that may prove incapable of being worked out in the field. In

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those instances, our attorneys can provide strategies and alternatives for dispute resolution ranging from face-to-face negotiation, to mediation, arbitration, and, when necessary, litigation.

If a dispute does require litigation, we are experienced, aggressive and zealous advocates. We are also experts at resolving issues through various forms of alternative dispute resolution. Our capabilities are frequently augmented by the involvement of other DeCotiis practice groups to provide additional expertise, including the Real Estate Group, the Environmental Law Group, and the Government and Regulatory Affairs Group. Whether a dispute concerns a simple breach of contract or a complex array of technical issues, whether it involves two parties or a dozen, our attorneys have the experience, resources and know-how to bring the matter to a successful conclusion.

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