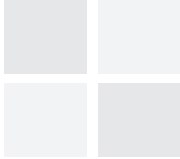


Construction



CONSTRUCTION ATTORNEYS

Timothy Hughes
Leo Fisher
Raighne Delaney
Richard Kelley
Juanita Ferguson
Samuel Banks
Jennifer Brust
Maureen Carr
Joseph Meadows

RELATED PRACTICES

Alternative Dispute Resolution
Business Organizations & Transactions
Commercial & Civil Litigation
Real Estate
Zoning & Land Use

The attorneys at Bean, Kinney & Korman have decades of experience representing construction industry clients with contract issues and litigation in Northern Virginia, Maryland and the Washington, D.C. metropolitan area. We understand the business needs and professional concerns of architects, engineers and contractors, and appreciate the shared and diverse interests each may have in any project. Our legal skills are paired with an understanding of technical design and construction details that are often the heart of complex challenges. You spend less time educating your lawyer and more time making the business decisions necessary to a positive outcome.

Contract Negotiation and Preparation

We are knowledgeable and adept at negotiating and preparing contracts on behalf of owners, contractors, subcontractors and design professionals, such as:

- Owner/Contractor Agreements
- Owner/Architect and Engineer Agreements
- Subcontracts and Subconsultant Agreements
- Design/Build Agreements
- Commercial Lease Buildout Agreements
- Construction Loan Agreements

Additional Construction-Related Legal Services

Businesses in the construction industry must deal with the myriad of contract issues specific to their services and the other development aspects of a project, including zoning and land use, construction financing and bankruptcy.

We help A/E/C clients with industry-specific regulatory, permitting, licensing, and taxation issues, including:

- Coordination with local permitting and code issues and interpretations during due diligence, design, construction and post-occupancy
- Assistance with local and statewide licensing
- Defense of license complaint-related issues
- Coordination and consultation on federal, state and local taxation issues, including federal and state tax and local BPOL taxation issues

Construction Disputes

Our lawyers represent clients in design and construction disputes in both litigation and alternative dispute resolution including:

- Mechanic's lien and payment bond claims
- Claims for equitable adjustments

- Construction defect and delay litigation
- Products liability claims involving construction-related products
- Warranty claims

Recognized Leaders in the Construction Industry

Our attorneys have been recognized by *Best Lawyers in America* for construction, land use and bankruptcy law, and are included among the *Legal Elite* by Virginia Business Magazine and *Super Lawyers* in a variety of disciplines important to construction industry clients. Our lawyers include a former Chair of the Construction Law and Public Contracts Section of the Virginia State Bar, also named a *Leader in the Law* by Virginia Lawyers Weekly. Six of our attorneys are U.S. Green Building Council LEED Accredited Professionals. We are regularly published in a variety of industry and business publications and present locally, regionally and nationally on construction-related issues.

We would be pleased to make our capabilities available to you, whatever your role in the building industry, including project-specific matters and the general business needs of your organization.

Reported Cases

Bindra v. Michael Bowman & Assocs., Inc. 58 Va. Cir. 47 (2002)

Casey Indus. v. Seaboard Sur. Co., No. 1:06cv249, 2006 U.S. Dist. LEXIS 22519 at *1 (E.D. Va. Apr. 20, 2006)

D.C. McClain, Inc. v. Arlington County, 249 Va. 131 (1995)

Pulte Home Corp. v. Parex, Inc., 265 Va. 518 (2003)

Published Articles

Ch-Ch-Ch-Changes: One Contract at a Time
Construction Accounting and Taxation, April 2019

D.C.'s Historic Preservation Laws - Not the Zoning Regulations - Remain the Biggest Impediment for Pop-Up Development
BKK Construction & Land Use Newsletter, September 2015

A Patriotic Partnership: The Construction Industry and the Military
BKK Construction & Land Use Newsletter, June 2015

Fairfax County's Plans for the Route 1 Corridor
BKK Construction & Land Use Newsletter, June 2015

Arlington's New Take on Density Exclusions
BKK Construction & Land Use Newsletter, March 2015

Protecting Your Brand: A Gift Not Reserved for the Holidays
BKK Construction & Land Use Newsletter, December 2014

Amendment to the Interstate Land Sales Full Disclosure Act
BKK Construction & Land Use Newsletter, December 2014

Arlington's New LEED Standards

BKK Construction & Land Use Newsletter, December 2014

D.C. Office of Planning Takes a Stand Against Pop-Ups With New Zoning Text Amendment

BKK Construction & Land Use Newsletter, September 2014

Out of State . . . Out of Mind?: Ensuring that Local and Out-of-State Construction Companies Play by the Same Rules

BKK Construction & Land Use Newsletter, June 2014

Five Major Terms Construction Contractors Need to Worry About

BKK Construction & Land Use Newsletter, December 3, 2013

Handshakes to Hashtags: The Evolution of Deal-Making in the Construction Industry

BKK Construction & Land Use Newsletter, December 3, 2013

When Do Virginia Contractors Need a License?

BKK Construction & Land Use Newsletter, September 2013

Lien Filing Update: Virginia Mechanic's Liens Get Even Harder

BKK Construction & Land Use Newsletter, June 2013

Construction Contracts: Avoiding Clashes and Irreconcilable Differences

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Proposed Update to Arlington County's Noise Control Ordinance

BKK Construction & Land Use Newsletter, March 2013

Construction Codes: Putting Your Vote into Action

BKK Construction & Land Use Newsletter, September 2012

Owners: Here are Five Ways to Ensure Project Failure

BKK Construction & Land Use Newsletter, September 2012

Knowing When to Pull the Plug on a Construction Project

BKK Construction & Land Use Newsletter, June 2012

D.C. Jobs Bill has Far-Reaching Implications for Contractors

BKK Construction & Land Use Newsletter, March 2012

Construction Issues at Condominiums

Construction Accounting and Taxation, January 2012

Project Labor Agreements: Legal and Political Considerations for Public Projects

Virginia Bar Association Journal, Fall 2011

Preserving National Historic Treasures

Masonry Magazine, November 2011

GSA Construction Funding Evaporation and Its Implications

Commonwealth Contractor, Associated Builders and Contractors-Virginia Chapter, 2011

Bankruptcy - Not Necessarily an End to Construction Payments
BKK Construction & Land Use Newsletter, September 2011

Effective Use of Social Media in the Masonry Industry
Masonry Magazine, July 2011

Corporate Protections and Their Limits
AIA Northern Virginia News, July 2011

Summer Update for Construction Professionals
BKK Construction & Land Use Newsletter, June 2011

Transferable Development Rights: Now in Action in Arlington
Commonwealth Contractor, May 2011

The Hidden and Not-So-Hidden Costs of Public Contracts
Masonry Magazine, March 2011

The Legal Impact of Green Codes
AIA Northern Virginia News

Energy and the Construction Market: Risk and Opportunity
Commonwealth Contractor, January 2011

Social Media in the Construction Industry
BKK Construction & Land Use Newsletter, December 2010

Minimizing the Likelihood of Masonry Litigation
Masonry Magazine, November 2010

Electronic Documents: What You Don't Know Can Hurt You
Masonry Magazine, September 2010

Pluses and Minuses: Cost-Plus V. Fixed-Price Contracts
Construction Accounting and Taxation, September 2010

Arbitration: An Effective Alternative to Litigation
BKK Construction & Land Use Newsletter, September 2010

Architect Escapes Indemnity Claim Based on ADA and FHA
AIA Northern Virginia News, June 2010

Practice as a LEED Accredited Professional
Virginia Lawyers Weekly, May 2010

"Please Pull Up to the First Window"
BKK Construction & Land Use Newsletter, April 2010

How Not to Get Sued
AIA Northern Virginia News

Case Note: Local Contractor Shells Out Cash to Settle Wages Class Action Suit
BKK Construction & Land Use Newsletter, February 2010

Renovators Beware: Lead Paint Regulations Due to Change in April
BKK Construction & Land Use Newsletter, February 2010

The Benefits of LEDs
BKK Construction & Land Use Newsletter, February 2010

A Look at LEED 2009
Construction Specifier, November 2009

Mechanic's Liens and Construction Bonds 101
BKK Construction & Land Use Newsletter, October 2009

Shades of Green
Commonwealth Contractor, September 2009

Green Overgrowth
Building Washington, Vol. 24, No. 3, Summer 2009

Chinese Drywall: The Return of National Construction Products Liability Litigation
Construction, Accounting and Taxation, Volume 19, Number 5

Healthcare Goes Green
Medical Construction and Design, June 1, 2009

Preventing Financial Ruin from Construction Contracts
BKK Construction & Land Use Newsletter, June 2009

State of Independence
Masonry Magazine, June 2009

The Mold Threat
Electrical Contractor, February 2009

News

Matthew Roberts interviewed in "Could Supreme Court ruling affect local proffer policies?"
Charlottesville Tomorrow, July 22, 2013

Q&A on Succession Planning with Timothy Hughes in Construction Executive magazine
Construction Executive, November 2012

Bean, Kinney & Korman Named a Best Law Firm by U.S. News Media Group and Best Lawyers in America
November 1, 2012

Juanita Ferguson Named Chair of Legislative Committee for Associated Builders and Contractors of Metro Washington
January 4, 2012

Juanita Ferguson Presents on the Fundamentals of Construction Law at the Judicial Conference of Virginia for District Court Judges
August 19, 2011

Juanita Ferguson to present at the Virginia Bar Association's Annual 121st Meeting 2011
December 29, 2010

Timothy Hughes featured in "Northern Virginia goes green without disputes"
Virginia Lawyers Weekly, May 26, 2010

Tim Hughes featured in "Builders question efficacy of green certification."
Washington Business Journal, April 12, 2010

Timothy Hughes featured in "No Word Yet From JBG After Judge Dismisses Convention Hotel Lawsuit"
Washington Business Journal, March 30, 2010

Arlington Law Firm Puts a Focus on Supporting Energy-Efficient Design
Sun Gazette, May 10, 2009

Seminars & Events

Transferable Development Rights - What They Are and Why You Need to Know
Bean, Kinney & Korman, January 27, 2017

"Deconstructing D.C. Mechanic's Lien Law" Webinar
October 16, 2012

"Arlington - Value Proposition of Sustainability Roundtable"
Navy League Building, 2300 Wilson Blvd., Arlington, Virginia, March 29, 2012