

Construction

ATTORNEYS

Zack R. Andrews
Jennifer A. Brust
Maureen E. Carr
Harrison J. Clinton
Raighne C. Delaney
Timothy Dugan
Juanita F. Ferguson
Leo S. Fisher
Robert T. Hicks
Timothy R. Hughes
Richard D. Kelley
Richard C. "Rip"
Sullivan, Jr.
Mark M. Viani

The attorneys at Bean, Kinney & Korman have decades of experience representing construction industry clients with contract issues and litigation. 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.

PUBLISHED ARTICLES

Are We Partners?
January 12, 2021

Why You Should Consider Opting for Arbitration During the
Coronavirus Pandemic
American Bar Association - Practice Points, November 30, 2020

BUILDING BLOC: How the Construction Industry Can Use the
Vote to Shore Up the Foundation of Democracy
Virginia Bar Association Construction Law Blog, October 1,
2020

Mechanics Lien Flowchart (DC)
Practical Law, June 29, 2019

Mechanic's Lien Flowchart (VA)
Practical Law, June 29, 2019

Mechanic's Lien Workflow Checklist (DC)
Practical Law, June 29, 2019

Mechanic's Liens in Practice (DC)
Practical Law, June 29, 2019

Mechanics' Lien Workflow Checklist (VA)
Practical Law, June 29, 2019

Mechanics' Liens in Practice (VA)
Practical Law, June 29, 2019

Underground Vaults in Virginia
BKK Construction & Land Use Newsletter, December 7, 2015

Arlington County Board Unanimously Approves Clarendon West
BKK Construction & Land Use Newsletter, December 7, 2015

A Patriotic Partnership: The Construction Industry and the

Military

BKK Construction & Land Use Newsletter, June 4, 2015

Fairfax County's Plans for the Route 1 Corridor

BKK Construction & Land Use Newsletter, June 4, 2015

Protecting Your Brand: A Gift Not Reserved for the Holidays

BKK Construction & Land Use Newsletter, December 5, 2014

Amendment to the Interstate Land Sales Full Disclosure Act

BKK Construction & Land Use Newsletter, December 5, 2014

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

BKK Construction & Land Use Newsletter, September 2, 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 2, 2014

Lorton Landfill Dispute Nearing Board of Supervisors' Review

BKK Construction & Land Use Newsletter, March 4, 2014

**I Know My (Vested) Rights! Developing a Project in a Changing
Climate**

BKK Construction & Land Use Newsletter, March 4, 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 11, 2013

**Construction Contracts: Avoiding Clashes and Irreconcilable
Differences**

BKK Construction & Land Use Newsletter, March 1, 2013

Written Contracts and the Statute of Limitations

BKK Business Law Newsletter, January 1, 2013

Construction Codes: Putting Your Vote into Action
BKK Construction & Land Use Newsletter, September 1, 2012

Knowing When to Pull the Plug on a Construction Project
BKK Construction & Land Use Newsletter, June 1, 2012

D.C. Jobs Bill has Far-Reaching Implications for Contractors
BKK Construction & Land Use Newsletter, March 1, 2012

Business Succession Planning Part 2: Critical Tools
Masonry Magazine, January 1, 2012

Construction Issues at Condominiums
Construction Accounting and Taxation, January 1, 2012

Project Labor Agreements: Legal and Political Considerations
for Public Projects
Virginia Bar Association Journal, December 1, 2011

Preserving National Historic Treasures
Masonry Magazine, November 18, 2011

GSA Construction Funding Evaporation and Its Implications
*Commonwealth Contractor, Associated Builders and
Contractors-Virginia Chapter*, November 1, 2011

Succession Planning: Failing to Plan is Planning to Fail
Masonry Magazine, September 1, 2011

Bankruptcy – Not Necessarily an End to Construction Payments
BKK Construction & Land Use Newsletter, September 1, 2011

Corporate Protections and Their Limits
AIA Northern Virginia News, July 1, 2011

Effective Use of Social Media in the Masonry Industry
Masonry Magazine, July 1, 2011

Summer Update for Construction Professionals
BKK Construction & Land Use Newsletter, June 1, 2011

The Hidden and Not-So-Hidden Costs of Public Contracts
Masonry Magazine, March 1, 2011

Energy and the Construction Market: Risk and Opportunity
Commonwealth Contractor, January 1, 2011

Social Media in the Construction Industry
BKK Construction & Land Use Newsletter, December 1, 2010

Minimizing the Likelihood of Masonry Litigation
Masonry Magazine, November 1, 2010

Electronic Documents: What You Don't Know Can Hurt You
Masonry Magazine, September 16, 2010

Arbitration: An Effective Alternative to Litigation
BKK Construction & Land Use Newsletter, September 1, 2010

Pluses and Minuses: Cost-Plus V. Fixed-Price Contracts
Construction Accounting and Taxation, September 1, 2010

Architect Escapes Indemnity Claim Based on ADA and FHA
AIA Northern Virginia News, June 1, 2010

Practice as a LEED Accredited Professional
Virginia Lawyers Weekly, May 1, 2010

"Please Pull Up to the First Window"
BKK Construction & Land Use Newsletter, April 1, 2010

How Not to Get Sued
AIA Northern Virginia News, March 1, 2010

The Benefits of LEDs
BKK Construction & Land Use Newsletter, February 1, 2010

A Look at LEED 2009
Construction Specifier, November 1, 2009

Mechanic's Liens and Construction Bonds 101
BKK Construction & Land Use Newsletter, October 1, 2009

Green Overgrowth
Building Washington, Vol. 24, No. 3, September 1, 2009

Chinese Drywall: The Return of National Construction Products

Liability Litigation

Construction, Accounting and Taxation, Volume 19, Number 5,
September 1, 2009

Shades of Green

Commonwealth Contractor, September 1, 2009

State of Independence

Masonry Magazine, June 1, 2009

Healthcare Goes Green

Medical Construction and Design, June 1, 2009

Preventing Financial Ruin from Construction Contracts

BKK Construction & Land Use Newsletter, June 1, 2009

The Mold Threat

Electrical Contractor, February 1, 2009

NEWS

Bean, Kinney & Korman Represents Finley Asphalt in a
Transaction with Shoreline Equity Partners
Friday July 2, 2021

County Board Approves Red Top Cab Project Amendments
Tuesday June 15, 2021

Contracts for Contractors

*TRUSTED ADVISOR PODCASTS BY THE IROQUOIS
GROUP • EPISODE 59, Tuesday March 16, 2021*

Bean, Kinney & Korman Named a 2021 “Best Law Firm” for
Tenth Consecutive Year
Thursday November 5, 2020

Raighne Delaney was quoted in “Many bars, business groups
back appeal of right proposal”

Virginia Lawyers Weekly, Monday September 7, 2020

Timothy Dugan Elected 2020-2021 Chair of the Real Property
Section Council of the Maryland State Bar Association
Thursday May 21, 2020

Timothy Dugan Recognized as Top Attorney by *Bethesda Magazine*
Tuesday December 10, 2019

Timothy Dugan Joins Bean, Kinney & Korman as a Shareholder
Wednesday October 16, 2019

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

Q&A on Succession Planning with Timothy Hughes in
Construction Executive magazine
Construction Executive, Thursday November 1, 2012

Arlington County Board Approves Clarendon Block
Redevelopment
Arlington County News, Tuesday January 24, 2012

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

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

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

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

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

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

Bean, Kinney & Korman Plays Significant Role in Introducing
Arlington's First LEED Gold Residential Building
Monday April 27, 2009

SEMINARS & EVENTS

Tips and Tricks of Subpoena Practice in Civil Litigation
The Omni Homestead Resort, Hot Springs, VA, Saturday, July
24, 2021

Can Employers Require Employees to Get the COVID-19
Vaccine?
Online, Wednesday, June 23, 2021

New Wage and Employment Laws Impacting Construction
Online, Thursday, May 6, 2021

Can your employer force you to get the COVID-19 vaccine?
Podcast, Wednesday, May 5, 2021

2020 Legal Drama in the Commonwealth:
Online, Thursday, November 19, 2020

ULI Washington, D.C. Young Leaders Presentation "Northern
Virginia Land Use"
Monday, May 25, 2020

Comparative Zoning and Land Use Laws in Northern Virginia
and Suburban Maryland
University of Maryland, Monday, May 25, 2020

Mental Illness: Legally Addressing Employees with "Unseen"
Disabilities
Online, Thursday, May 7, 2020

"The Shifting Landscape of Independent Contractors"
Online, Tuesday, May 5, 2020

Future of Arlington County
Arlington, VA, Thursday, November 14, 2019

2019 Advanced Real Property Institute
Columbia, MD, Thursday, November 7, 2019

Maryland State Bar Association Land Use Institute: “Recent Federal and State Land Use Court Decisions”
Saturday, May 25, 2019

“#METOO: Sexual Harassment in the Workplace”
George Washington University School of Business, Tuesday,
March 6, 2018

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

“Deconstructing D.C. Mechanic’s Lien Law” Webinar
Tuesday, October 16, 2012

“Arlington – Value Proposition of Sustainability Roundtable”
Navy League Building, 2300 Wilson Blvd., Arlington, Virginia,
Thursday, March 29, 2012

“Construction Law”
Virginia Beach, Virginia, Monday, August 8, 2011