

Construction

Polsinelli's construction attorneys advise leading private developers, major civil contractors and large national trade firms on their most complex and high-value construction projects. We leverage a national platform and deep real estate bench to advise on each aspect of the construction project lifecycle — from strategic agreement negotiation and innovative project delivery structuring to risk allocation, compliance and dispute resolution. We bring significant experience representing project owners and international contractors across every asset class and sector to get projects off the ground — and keep them on track.

Clients choose Polsinelli because of the strength and sophistication we bring to every matter:

- Deep experience with marquee projects across the U.S.
- National platform to handle the full project lifecycle
- Proven track record of multimillion-dollar federal jury verdicts and defense wins
- Cutting-edge focus on emerging industry priorities
- Consistent recognition by *Chambers USA* and industry publications

Construction and Design Transactions

Our team delivers strategic counsel to structure and manage the most sophisticated construction projects in the country, guiding clients from initial planning and financing through development, design, consulting and testing. We work with owners, investors, lenders, heavy civil contractors and design professionals to draft, negotiate and administer construction contracts across a wide range of industries and asset types, including:

- Multifamily, affordable, student and senior housing
- Industrial warehouses, data centers and manufacturing facilities
- Health care facilities and hospital systems and campuses
- Energy, oil and gas, chemical refinery, water and wastewater
- Professional sports and entertainment venues, including NFL and MLS stadiums
- Public infrastructure and transportation systems (highways, heavy rail, commuter rail and light rail)
- Mixed-use, hotels and retail
- Office and high-rise commercial

In addition, we advise on emerging industry priorities that are reshaping the construction landscape, including modular construction, ESG-driven development and advanced project delivery models such as Integrated Project Delivery (IPD), Public-Private Partnerships (P3) and Engineering, Procurement and Construction (EPC) contracts.

Construction and Real Estate Disputes

Our construction trial lawyers partner with clients on proactive risk assessment and mitigation strategies that support timely, cost-effective project delivery. When disputes arise, we bring courtroom-tested experience to

vigorously advocate for our clients across litigation, arbitration, mediation and dispute boards. We represent clients in resolving the full spectrum of design, construction, development and real estate disputes, including:

- Delay and disruption claims
- Design professional liability and standard of care
- Concealed or unknown site conditions
- Construction defects
- Scope changes and change order issues
- Material price escalation
- *Force majeure* and unavoidable delay
- Payment and performance bond disputes
- Evolving insurance and surety frameworks
- Lien claims
- Warranty and repair

Polsinelli's construction attorneys are deeply embedded in the construction industry. We hold leadership roles in major trade associations, frequently advise on cutting-edge issues and are consistently recognized by *Chambers USA* and industry publications for excellence in construction law.

Matters

Construction Projects and Contracts

- Represent a large nonprofit hospital system in the \$1 billion development, construction and financing of a hospital campus in Houston, Texas, including the development and construction of a second hospital tower and the development and construction of a 408,000-square-foot, 12-story Ambulatory Care Center (ACC) and 7-story, above-and-below ground, 1,100-space parking garage.
- Represent a global alternative investment manager in the negotiation of development, design, engineering and construction agreements and dispute resolutions for millions of square feet of industrial projects in California, Florida, Georgia, Illinois, Maryland, New Jersey, New York, Massachusetts, Ohio, Oregon, Texas and Washington.
- Represent multiple private equity developers in the development, design and construction of multiple first-class industrial warehouse and distribution facilities throughout the U.S., including projects in Texas, Georgia, North Carolina, Illinois, Indiana, Kansas, Oklahoma, California and Washington.
- Represent a national real estate developer in the \$700 million development, design, construction and financing of a major national security center campus.
- Represent an NFL club in multiple renovation projects, including a \$50 million renovation to prepare to host world European football championship matches involving the use of both private and public funds.
- Represent a Major League Soccer club in the design and construction of major upgrades to the stadium's audio-visual systems.
- Represent an aerospace and defense ceramics manufacturer in the development, design, construction and financing of a \$700 million project involving the partial demolition of a manufacturing facility and construction of a new multi-use worldwide headquarters facility, including adjacent multifamily, retail, parking and office developments.
- Represented a specialty manufacturer in the drafting and negotiation of various construction contracts and an EPCM agreement with respect to the development and construction of a crude tall oil biorefinery facility in South Carolina.
- Represent an international food and beverage company in the development, design, construction and dispute resolution for production, packaging and warehouse facilities across the U.S.

- Represented a diversified real estate investment, development and asset management company in the negotiation and drafting of the construction and design contract for a \$100 million high-profile “supertall” high-rise in New York City.
- Represent a national real estate developer in the negotiation of design and construction contracts for high-rise and garden-style, high-density, for-rent apartment home projects in multiple states.
- Represent multiple large, regional hospital systems engaged in the design, construction and development of multiple new hospitals and medical office buildings, including advising in the preparation of design and construction RFPs and drafting and negotiating various design, construction and consulting agreements on behalf of the owner.
- Represent a large, regional hospital system in the design and construction of a \$700 million cancer center involving multiple owners and the concurrent development of an adjacent research facility, including assisting navigating complex issues relating to the intersections of the two developments.
- Represented an educational nonprofit in the development and construction of a major agricultural events and educational center complex in Wyandotte County, Kansas, which included the construction of nearly 1 million square feet of programmed space, including 300,000+ square feet of climate-controlled exhibition space, two climate-controlled show arenas, one outdoor arena, a food and agricultural center and administrative offices and meeting facilities.

Construction and Real Estate Disputes

- Three-week 2025 federal jury trial for an international oil and gas refinery contractor against a top global oil company on a dispute relating to a \$160 million refinery turnaround mechanical construction project. The jury verdict awarded client \$64 million in damages and rejected the refinery owner’s consequential damages counterclaim, pending judgment for additional interest, Montana Prompt Payment Act Penalties, attorney fees and costs.
- Prevailed in a four-week 2024 federal jury trial for an international highway engineering firm against a design-build contractor on a dispute relating to a \$500 million, 13-mile highway expansion. Jury verdict awarded client \$5.25 million in damages (final judgment of more than \$22 million with interest, fees and costs) on affirmative claims and returned a complete defense verdict on counterclaims seeking over \$265 million.
- Represented a manufacturer of complex machinery in a \$200 million construction defects litigation regarding the building sway in a “supertall” residential high-rise in New York City.
- Represented one of the largest non-union roofing/restoration contractors in a multimillion-dollar construction defect litigation involving water infiltration claims into a New York City condominium building.
- Represented a large regional wastewater utility serving a metropolitan area in a \$750 million dispute against an agricultural servicer regarding a clean water permit that impacted the areas’ ability to develop its treatment facilities, including disputes over possible repairs to an outfall canal that was damaged in a flood.
- Represented a California-based nonprofit public-benefit corporation in a lawsuit in San Joaquin County Court with a neighboring property owner regarding restrictive covenants put on a property sold in 2006.
- Represented a diversified real estate investment, development and asset management company in disputes with its construction manager involving the delay and cost for a ground-up development of a 20-story office building in New York City.

Publications

November 25, 2025

Colorado justices consider whether to restore \$5.7 million award to RTD subcontractor

Quoted, Colorado Politics

August 25, 2025

Florida's SB 492 and the Future of Wetland Development

March 25, 2025

AECOM Seeks Tens of Millions in Interest From ExxonMobil After Refinery Verdict

Mentioned, ENR

March 17, 2025

Judge Orders Flatiron to Pay AECOM \$14.2M in Lawsuit Costs

Mentioned, ENR

August 6, 2024

Proposed Rules for Class VI UIC Permits through the Colorado Energy and Carbon Management Commission

July 17, 2024

The Unintended Consequences of Construction Defects

Co-Author, Economic Development Council of Colorado Thought Leadership Series

May 31, 2024

Not-For-Profits Gain Access to Historic Tax Credits with Enactment of Missouri HB 2062

May 15, 2024

SCOTUS Decision May Limit Municipalities' Ability to Collect Impact Fees

March 11, 2024

Lengthy approval process remains challenging for LI builders

Quoted, Long Island Business News