



## || Construction Law

Foster Swift construction attorneys have the skills and focus to effectively help clients accomplish their goals. Our construction attorneys provide services in the following areas:

### **NEGOTIATION AND DRAFTING:**

- Architectural Agreements
- Construction Agreements
- Owner Development Agreements
- Subcontractor Agreements
- Supply Contracts
- Developer Agreements
- Utility Easements
- Construction Management Agreements

### **CONSTRUCTION CONTRACTS**

Experienced in generating contract language intended to avoid conflict, the attorneys in this practice area draft and negotiate construction contracts for public and private projects. They believe the most effective means of risk management is an effective contract and therefore have negotiated numerous design and construction agreements based on standards set by leading organizations in architecture, engineering and construction. Developing, drafting and reviewing contracts, tedious but necessary duties, are no guarantee against future strife. When done conscientiously, however, using the most current industry guidelines, these tasks become the most reliable means of self-insurance.

### **ADVICE CONCERNING:**

- Utilization of American Institute of Architects & Associated General Contractors Documents
- Change Orders
- Different project delivery systems
- Design Build Contracts
- Dispute Review Boards and Standing Neutrals
- Alternative Dispute Resolution Methods

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### **ATTORNEYS**

#### **Shareholder**

Dirk H. Beckwith  
Sara L. Cunningham  
Robert A. Hamor  
Michael D. Homier  
Lawrence Korolewicz  
Andrew C. Vredenburg

#### **Senior Attorney**

Jeffrey S. Theuer

#### **Associate**

Brandon M. H. Schumacher

#### **Paralegal**

Rekela L. Wilson

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- Environment Conditions Impacting Projects

Litigation has been filed and defended in State and Federal Court in multiple states. Arbitration and facilitative mediation have been utilized. Matters litigated and arbitrated include:

- State and Federal Bond Claims
- Construction Liens and Foreclosures
- Builder's Trust Fund Matters
- Claims for Extras, Delay Claims, Claims for Acceleration, Claims for Loss of Efficiency, Differing Site Conditions and Bid Protests
- Breach of Contract
- Collateral Damage from Construction Projects

**ADMINISTRATIVE PROCEEDINGS:**

- MIOSHA matters have been investigated and defended on behalf of construction clients.
- Licensing claims have been defended and licensing qualifications have been pursued with the appropriate administrative body.

**CONSULTING AND RELATED SERVICES:**

- Foster Swift attorneys maintain strong contacts with construction industry consultants and professionals.
- Foster Swift attorneys are arbitrators, mediators and case evaluators.
- Foster Swift attorneys have frequently presented seminars regarding construction topics, alternative delivery methods, project finance for infrastructure, liens, claims for extras, dispute review boards, alternative dispute resolution methods, and understanding the AIA documents.

**MEMBERSHIP:**

The firm's attorneys are members of the following:

- American Arbitration Association
- Michigan Infrastructure and Transportation Association (formerly Michigan Road Builder's Association and Associated Underground Contractors)
- Associated General Contractors
- Michigan Institute of Architects
- Circuit Court Mediation and Case Evaluation
- American Institute of Architects
- American Bar Association Forum on Construction Industry
- Greater Lansing Homebuilders Association
- Michigan Home Builders Association

- National Home Builders Association
- Defense Research Institute
- Michigan Defense Trial Counsel

Foster Swift has been named a Tier 1 firm in **Construction Law** in Lansing by *U.S. News – Best Lawyers®* "Best Law Firms" in 2014, 2016, 2017, 2018, 2019, 2020 and 2021.

## **PUBLICATIONS & ALERTS**

When Is A House Not A Home?, *Foster Swift Construction Law News*, May 16, 2013

Priority of Construction Liens, *Foster Swift Commercial Litigation News*, March 6, 2012

When Does 90 Days Mean 90 Days?, *Foster Swift Construction Law News*, March 2011

The Statue of Limitations May Be Shortened by Contractual Provisions Included in an Invoice or Application for Employment, *Foster Swift Construction Law News*, August 2009

Overweight Trucks, *Foster Swift Construction Law News*, June 2009

"Damned If You Do, Damned If You Don't" - Pitfalls to Watch Out for With Insurance Coverage and Claims That Contractors Will Make Against an Insurance Policy, *Foster Swift Construction Law News*, June 2009

Comparison of the Various Types of Alternative Dispute Resolution Specified in the AIA and Consensus DOCS Contract Documents, *Foster Swift Construction Law News*, February 2009

Hazardous Waste Regulation and Recycling Revisited in 2008, *Foster Swift Construction Law News*, January 2009

Fines up to \$10,000 per day for Impacting a Wetland can Ruin your Construction Project, *Foster Swift Construction Law News*, March 2008

## **NEWS**

Grand Rapids Attorneys Listed as 2023 Top Lawyers, *Grand Rapids Magazine*, November 8, 2023

Foster Swift Listed in "Best Law Firms" 2024, *Best Lawyers in America*, November 2, 2023

David & Vredenburg Named to Best Lawyers in America, *Best Lawyers in America*, August 17, 2023

Foster Swift Attorneys Named 2024 Best Lawyers in America, *Best Lawyers in America*, August 17, 2023

Foster Swift Listed in "Best Law Firms" 2023, *Best Lawyers "Best Law Firms"*, November 3, 2022

Foster Swift Listed in "Best Law Firms" 2022, *Best Lawyers in America*, November 5, 2021

Storey Receives 2021 Theodore W. Swift Civility Award, October 1, 2021

Foster Swift Attorneys Named to 2022 Best Lawyers in America®, August 19, 2021

Foster Swift Listed in "Best Law Firms" 2021, *Best Lawyers*, November 5, 2020

Foster Swift Attorneys Named to 2021 Best Lawyers in America®, August 20, 2020

Vredenburg Named Litigation Practice Group Co-Leader, March 26, 2020

Foster Swift Listed in Best Lawyers® "Best Law Firms" 2020, November 1, 2019



23 Attorneys Selected to 2019 Michigan Super Lawyers and "Rising Stars", *Automation Alley*, September 3, 2019

Foster Swift Rated Tier 1 in 27 Practice Areas in Best Lawyers® "Best Law Firms", November 1, 2018

30 Foster Swift Attorneys Selected to 2017 Michigan Super Lawyers and Rising Stars Lists, September 8, 2017

21 Foster Swift Attorneys named to 2015 Michigan Super Lawyers and Michigan Rising Stars, September 8, 2015

44 Foster Swift Attorneys Named to 2016 Best Lawyers in America® Roster, August 21, 2015

dbusiness Names Four Foster Swift Attorneys Top Lawyers 2014, December 2013

Dave Lick Part of Romania Leadership Exchange Project, May 14, 2012

Foster Swift Attorney to Present at NCPPP Workshop, April 8, 2011

Frank T. Mamat Appointed to the BIA Board of Directors, January 21, 2011

## **EVENTS**

Bidding on Public Projects, *Construction Law for Public Projects Seminar: HalfMoon Education Inc.*, November 13, 2019

Contracting in Public Projects, *Construction Law for Public Projects Seminar: HalfMoon Education Inc.*, November 13, 2019

Environmental Issues in Government Construction, *Construction Law for Public Projects Seminar: HalfMoon Education Inc.*, November 13, 2019

Public Procurement Law Applicable to Construction Contracting, *Construction Law for Public Projects Seminar: HalfMoon Education Inc.*, November 13, 2019

Trigger Point to Avoid Financial Ruin: Perspectives from a Bankruptcy Lawyer, *Great Lakes Crop Summit*, January 31, 2018

Public Private Partnerships: What They Can Do for You, February 2, 2016

Public Procurement Law Applicable to Construction Contracting, *Construction Law for Public Projects*, June 26, 2014

Public-Private Partnerships: Powering Projects...Beyond the Basics, *Design-Build Institute of America - Great Lakes Region*, April 26, 2013

New Restrictions on Public Contracting Due to Governor Snyder, *Detroit Area Construction Association*, November 17, 2011

Implementing Partnerships for Infrastructure, *National Council on Public Private Partnerships*, May 11, 2011