JORDAN RAMIS

Construction

OVERVIEW

Our construction attorneys are committed to the future of the built environment, working collaboratively with the people and businesses who create it. We represent general contractors, subcontractors, materials suppliers, owners, sureties, and design professionals in every stage of public and private construction projects across the Pacific Northwest.

Contract Negotiation

We have extensive experience in reviewing, drafting, and negotiating construction contracts on private projects. Our attorneys are well-versed in the standard private construction contract forms, such as AIA and ConsensusDocs, as well as drafting contracts specific to the particular needs of a client or project. Our team works with clients to avoid inadvertently agreeing to unfavorable contract terms, including onerous notice, indemnity, or claim waiver provisions, and negotiate terms which best mitigate risk to your business. We know good contract negotiation is a key step in avoiding disputes down the road.

Public Procurement

Jordan Ramis understands public procurement inside and out. With a team comprised of counsel for several Oregon municipalities, former Federal and State of Oregon agency employees, and other experienced attorneys, our government contracts team serves clients with an insider's perspective. Government contracts is a highly rule-based field and it pays to have someone on your side who knows the rules. Guiding clients through the myriad of issues which can arise in the public contracting pre-bid and bidding process, our team also helps clients navigate through federal, state, and local bidder prequalification issues, business size determinations, small and disadvantaged business qualification issues, and subcontracting issues.

Our attorneys have extensive experience with federal, state, and local bid protests before contracting agencies, state courts, and federal forums, such as the Government Accountability Office and the Court of Federal Claims. In addition, our attorneys also have experience representing other government contractors, including health care providers, janitorial services providers, and environmental clean-up contractors.

Claims

Successful prosecution and defense of claims on construction projects requires knowledge of the relevant statutes, regulations, claim processes, and contract provisions. Our construction team has decades of experience prosecuting and defending claims on both private and public construction projects, such as differing site conditions, prompt payment act, delay, defective plans and specifications, cost overrun, quantum meruit, equitable adjustment, and retainage claims.

For private construction projects, contracts dictate how claims are to be presented, typically with strict requirements for written notice and tight deadlines for claim presentation. Further, contractors and subcontractors have the option of recording a lien on private projects to secure their claims. Knowing the claims presentation procedures and the lien statutes is essential in pursuing these claims and our attorneys have the requisite knowledge.

For public construction projects, a web of federal, state, and local statutes, regulations, and rules govern claim presentation. Our attorneys have extensive experience in prosecuting claims against public contracting bodies

both before agencies, such as the Oregon and Washington Departments of Transportation and the United States Army Corps of Engineers, and in state and federal forums, such as the United States Civilian Board of Contract Appeals and United States Court of Federal Claims.

We have extensive experience representing subcontractors on the Federal Miller Act and Oregon and Washington Little Miller Act bond claims. Our team also guides clients through the claims process with the Oregon Construction Contractors Board and advises on issues that may arise with licensure with the CCB or Washington State Department of Labor and Industries. No matter how complex a construction claim, we take a wholistic approach, advising and navigating our clients through the claims process.

Dispute Resolution

While our construction practice group strives to avoid disputes by addressing risk up front through good contract negotiating and smart claim presentation, disputes inevitably arise. As with construction claims, successfully navigating dispute resolution processes requires thorough knowledge of the controlling statutes, regulations, rules, and contract provisions. We have extensive experience with dispute resolution through contracting agency dispute resolution procedures, administrative hearings, mediation, arbitration, and litigation. Our attorneys have prosecuted contract, lien, and bond claims through to jury and bench trials in Oregon and Washington state and federal courts. We have prevailed in multiple arbitrations with the American Arbitration Association and other common construction-related arbitration forums. Finally, we have brought successful appeals before the Oregon and Washington Courts of Appeal and the United States Courts of Appeal for the Ninth Circuit and the Federal Circuit. Our team has the knowledge, skill, and experience to go the distance in any dispute resolution forum.