

Preparation and Protection in the Construction Business

Where some falter, others find opportunity. This is particularly true of the construction industry. Sometimes parties default on construction projects. Companies then turn to bankruptcy, in which case contract protection and contractors' liens become critically important. It has also become a time of tremendous growth in the area of Green Building – optimizing energy efficiency and minimizing the environmental impact of construction projects. Our LEED AP attorneys can help clients navigate this growing market.

At Hoagland Longo, we've developed our construction practice to meet the specific and changing needs of our clients. For decades we have represented professionals in the construction industry, including architects, engineers, land surveyors and professional planners. We also represent construction managers, general contractors and subcontractors.



Leading the Way

Attorneys in the firm serve as counsel to organizations that include the AIA-New Jersey, New Jersey Society of Professional Engineers and the New Jersey Chapter of the American Society of Landscape Architects. We are also Affiliate Members of the American Council of Engineering Companies, New Jersey Chapter.

Community Involvement

The firm has a strong history of supporting the community. We are very proud of our attorneys and staff for all of their volunteer efforts. Our attorneys have dedicated great effort and invaluable time helping many community organizations meet their missions and goals including the local soup kitchen Elijah's Promise, Central Jersey Spinal Cord Association, Lord Stirling Community School and many more.

**Driven.
Responsive.
Dedicated.**



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Construction Law



We listen.
Don't settle for less.

**Driven.
Responsive.
Dedicated.**



ATTORNEYS at LAW

The Support of a Business Partner

At Hoagland Longo, we assist our clients with strategies to help prevent claims before they arise.

Risk Management

We pride ourselves on developing and nurturing long-term relationships with our clients. We would prefer to be able to provide you with legal advice and counsel “up front”, through various risk management steps that we can undertake so that you spend a short amount of time with us rather than retain us after the fact when you are mired in costly and time-consuming litigation. Besides assisting you in matters such as contract negotiation, disciplinary proceedings and copyright issues, we also provide both public and in-house seminars that are tailored to your needs. We are vigilant in keeping up-to-date on all significant legal trends that affect the construction industry and we take great pride in sharing that knowledge with our clients.



Contracts

In our experience, a substantial percentage of claims in the construction industry arise from poorly crafted contractual agreements between parties on the project. In lean times, contractors, owners or design professionals would prefer not to spend money having legal counsel prepare contractual agreements, but that can be a costly mistake. Many of our clients have confided in us that the very modest expenditure to have competent counsel assist in the preparation of contracts at the beginning of the contract is “money well spent.” Having seen claims arise out of construction projects of every imaginable type, we are uniquely situated to be able to see the potential root causes of such claims when we are engaged to assist in contract preparation. The cost is often lower than you might think.

Disciplinary Proceedings

State governments have enacted legislation that has resulted in the establishment of various boards to monitor and regulate (and discipline if appropriate) different professionals such as architects, engineers, and electrical contractors. If a claim is brought against you or your firm before one of these boards, you do not want to “go it alone.” Significant, uninsured sanctions such as monetary fines or even suspension of licenses are potential results of such board investigations. Moreover, the results can become a matter of public record and there is limited opportunity to appeal. You need experienced counsel, familiar with both the substantive and procedural law relevant to disciplinary proceedings. Our attorneys have represented licensed professionals before all of these state boards.

Copyright Issues

Architects can often unwittingly find themselves the subject of a claim brought in Federal Court under copyright law. The applicable Copyright Statute specifically includes architectural work within the jurisdiction of copyright. This applies even if the architectural work at issue has not been registered before the infringement. The standard to prove a copyright infringement action is not as stringent or esoteric as one might think. Experienced counsel may prove invaluable.

Claims

Our Construction Law Group has extensive experience in all three forums in which construction claims are brought: in court through formal litigation; by hiring a private arbitrator; or by mutually agreeing on the selection of a mediator. Not only have we represented hundreds of clients through these three forums, some of our attorneys have frequently presided over such matters as either arbitrators or mediators.

Additionally, we have extensive experience in all of the Appellate Courts, having served as counsel of record in multiple reported decisions that have had significant impact on the construction industry.

