Construction

There are no dabblers on Lane Powell’s Construction Team – this is all we do. We work closely with design professionals, public and private project owners, developers and contractors on every aspect of complex construction and built environment projects – from contracts to financing to finishing touches, and where it arises, dispute resolution.

The members of our team bring backgrounds in construction, engineering, design and public works. Many of us have been embedded within our clients’ organizations, serving as boots on the ground dealing with the legal issues that arise throughout the course of a project. Our team consistently produces swift, pragmatic and cost-effective solutions for clients to remove barriers and keep projects on time and budget. We’ve seen virtually every type of contract arrangement, making us able to anticipate potential issues before they arise. We counsel clients on the full range of construction-related services, including:

• Preparation and negotiation of construction-related contracts, including specialty agreements;
• International contracts;
• Federal, state, and local bidding and procurement, including protests;
• Defense of architects and engineers in professional errors and omissions cases;
• Land use and environmental issues;
• Project delays and cost-overruns;
• Construction-related insurance issues;
• Finance and tax issues; and
• Acquisitions.

Dispute Resolution & Litigation

We represent public and private clients in a broad range of construction litigation, arbitration, mediation, dispute resolution boards, and other types of dispute resolution on both public and private projects. We are skilled at helping you prevent claims or issues before they arise, but should it be required, our team has extensive experience litigating complex cases in court. Our dispute resolution experience has included representing clients in matters related to:

• Mass transit;
• Residential and mixed use;
• Tribes;
• Major retail projects;
• University buildings;
• Roadway infrastructure;
• Building envelope issues;
• Construction injuries;
• Tunneling;
• Water and sewer projects; and
• Industrial projects.

Recognition

Chambers® USA: America’s Leading Lawyers for Business recommends our Construction Team, with sources describing us as an “adept” and “accomplished group,” known for its “contract-drafting, financial and dispute resolution expertise.” We are also highly ranked in the U.S. News – Best Lawyers® annual “Best Law Firms” survey in the areas of construction law, and eminent domain and condemnation law. Sources surveyed said Lane Powell is their “go-to” for construction matters and recognized the group for their “extensive knowledge and experience in virtually every area of construction law.” One client noted our “ability to guide clients throughout the course of a construction project in such a way as to avoid the necessity for litigation, but when litigation is necessary, Lane Powell has the knowledge, experience and resources to handle even the largest and most complex cases. As counsel for a public agency involved in billions of dollars of construction, they are the first firm I turn to for assistance.” Another client enthused: “Lane Powell’s adroit handling of mediations has helped our team avoid litigation. We would be totally confident if litigation proved to be the only path to resolution.” We are also recognized on Construction Executive’s “The Top 50 Construction Law Firms” list, with special recognition for having “the oldest operating construction law practice” on the list.

Experience

Tall Chief Country Club v. Snoqualmie Valley Preservation Alliance, et al
Assisted the owners of a golf course in obtaining preliminary plat approvals from a hearing examiner and the County Council to redevelop a 191-acre golf course into an 18-lot subdivision, while returning 45 acres into active farming.

Allen v. Boeing Company
Case No. 2:14-cv-00596 | U.S. District Court, Western District of Washington
Defended Landau Associates, an environmental consultant under contract with Boeing, regarding investigation and remediation of a solvent plume that allegedly migrated in groundwater from Boeing’s Auburn facility into an adjacent residential neighborhood.

Landfill Enforcement Action Defense
Defended an oil company refinery in an enforcement action concerning a former landfill.

In re Summary Judgement for Specialty Engineering Firm
U.S. District Court, Western District of Washington | Seattle, Washington
Successfully obtained complete dismissal on summary judgment of a multimillion dollar negligence and negligent misrepresentation claims against a design consultant by a subcontractor on a public works utility project.

Raisbeck Engineering, Inc. $20M Sale to Acorn Growth Companies
Assisted Raisbeck Engineering in the sale of its business to Acorn Growth Companies for approximately $20M.
Watts Constructors, Inc. v. Winzler & Kelly  
Case No. 13-2-00246-1 | Kitsap County Superior Court | Port Orchard, Washington  
Defended design professional against claims brought by a general contractor of cost overruns allegedly caused by errors and omissions in design documents.

Oil Refinery Development Agreement  
Represented a North Dakota city in the drafting and negotiation of a development agreement for construction and operation of an oil refinery.

City of Port Angeles v. United States of America  
Represented the city in obtaining compensation for damage to city’s surface water quality and water rights from the removal of the Elwha River Dam.

MidMountain Contractors v. King County  
Seattle, Washington  
Successfully defended King County Wastewater Treatment Division in a multi-million dollar claim brought by a contractor against a public owner, and also prevailed on a multi-million dollar construction defect claim. The majority of the contractor’s claims were dismissed on summary judgment.

Northwest Infrastructure, Inc. v. PCL Construction Services, Inc. v. Puget Sound Regional Transit Authority  
Case No. 09-2-12930-4 SEA | King County Superior Court | Seattle, Washington  
Represented Sound Transit in prosecuting fraud and unfair business practices/Consumer Protection Act counterclaims against a subcontractor, and in defending against a multi-million dollar claim for additional compensation by the same subcontractor.

TC Systems, Inc. Hazardous Substance Allegations by Washington Department of Ecology  
Representing TC Systems, the former operator and lease guarantor of a metal coating and finishing business in Everett, Washington, regarding State Department of Ecology allegations of release of hazardous substances.

Commercial Property Damage  
Represent professional contractor in claims against business (and related insurance company) related to property damage caused by operator of business’ motorized vessel which was operated at excessive speed in a no-wake zone.

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