

COMMERCIAL CONSTRUCTION & ENGINEERING

OVERVIEW

Helping institutions, developers, investors, public authorities and contractors to deliver major infrastructure and property development projects is central to our business. Regularly ranked by leading legal directories in the UK, US, Middle East and Asia, BCLP's Commercial Construction and Engineering team is chosen by clients to facilitate the successful delivery of construction projects worldwide.

With experience and projects spanning the full cross-section of the industry, our team has the skill and understanding of industry practices and standards to anticipate challenges and negotiate quickly and effectively on your behalf. Our extensive blue chip client list from across numerous industries testifies to our approach and quality of service.

A FULL SERVICE APPROACH

Our team members possess valuable experience in preparing and negotiating all varieties of design and construction-related contracts. Our input also goes beyond pure contract drafting to encompass strategic advice and risk management, based on our extensive experience with major projects. After contract execution, we can assist and counsel you in connection with contract compliance and a range of matters including change orders, delays, payment procedures, errors, omissions, defects, liens, warranty claims and a host of other issues.

FAST, EFFICIENT AND TAILORED RESULTS

We understand the time and budget sensitivities inherent in your construction transactions. Our team members draw upon our collective experience, our database of industry documents and our understanding of the unique aspects of each transaction to produce timely, cost-effective results that are tailored to meet your individual needs.

GLOBAL REACH

Our international teams represent clients throughout the world, meaning no matter where your project is based, we can quickly identify lawyers with the appropriate type and level of experience to assist. We are also highly skilled in managing cross-border projects and coordinating with local law firms where required.

HOLISTIC, MULTIDISCIPLINARY ADVICE

Our team regularly collaborates with colleagues across disciplines including real estate, planning and zoning, environmental, project finance, public finance and tax to provide you with comprehensive, coordinated advice and help you effectively mitigate risk.

AWARDS

- The Best Lawyers in Germany™, France™, America™, Real Estate Law 2022
- Construction Team of the Year at Middle East Legal Awards 2022
- Winner of the Construction and Infrastructure category, China Business Law Journal Awards 2022
- Ranked Tier 1 in Construction and Engineering by leading legal directories (Chambers and Legal 500) for the previous 13 years
- *The Best Lawyers in America*©, Construction Law, 2019

MEET THE TEAM



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RELATED PRACTICE AREAS

- Construction Disputes
- Real Estate Finance
- Real Estate Tax
- Infrastructure
- Real Estate Sector

EXPERIENCE

THEMED INTEGRATED RESORT

Location: Macau

Project Counsel on a themed integrated resort in Cotai Macau for US based developer on all aspects of the development, design and construction of a USD2.8bn themed integrated resort in Macau including a 3,000-room hotel, casino, theatre, retail mall and convention facilities.

INTEGRATED CASINO RESORT

Location: South Korea

Advised a US based gaming operator on construction of an integrated resort complex at Incheon Airport which will include accommodation, performance arena, theme park and casino.

KAI TAK SPORTS PARK DEVELOPMENT

Location: Hong Kong SAR

Acting for one of the three pre-qualified bidders on all legal aspects in respect of the preparation of its tender submission to the Hong Kong Home Affairs Bureau for the right to design, build and operate (DBO) the US\$4 bn Kai Tak Sports Park development - a landmark project for Hong Kong SAR.

ICONIC NEW HOTEL TOWER DEVELOPMENT

Location: Asia Pacific

Advising an integrated resort on their design, consultancy and construction of an iconic new hotel tower to the existing development, including their entire suite of consultancy and construction contracts.

REMODELING AND CONSTRUCTION ADVICE FOR ONE OF THE WORLD'S LARGEST HOTEL COMPANIES

Location: US, Nationwide

Advising on numerous design and construction contract forms for use by one of the world's largest hotel companies in procuring design, construction, furnishings and equipment for new hotels and remodeling projects. We regularly assist our client in the preparation and negotiation of project-specific contracts.

BLOOMBERG'S £1 BILLION EUROPEAN HEADQUARTERS

Location: UK, London

Representing Bloomberg in relation to their new 660,000 sq ft European HQ, one of the largest and most sustainable office developments ever built in Europe. We advised on the construction documentation and on the structuring for the development, procured by way of construction management.

\$110 MILLION IMPROVEMENTS FOR GRAIN PROCESSING AND EXPORT FACILITY

Location: US, Gulf Coast

Representing a global agribusiness in terminating a contract for the construction of \$110 million in renovations and improvements to a grain processing and shipping facility on the Gulf Coast. We also prepared and negotiated the design-build contract for a replacement contractor to complete the project.

EUROPE'S FIRST "PAN PACIFIC" HOTEL

Location: UK, London

Advising UOL Group Limited on the construction aspects relating to its acquisition of Heron Plaza, now known as 150 Bishopsgate, in a deal worth over \$300 million. The 43 storey tower will include a luxury Pan Pacific hotel and residential development, based in the heart of the City of London. The hotel will be the City's first 5* hotel, rivalling the West End.

ADVISING RETAIL GIANT ON STORES, DATA CENTERS AND DISTRIBUTION CENTERS ACROSS THE US

Location: US, Nationwide

Counseling a retailing giant in modifying their company-wide policies and overhauling library of form design and construction contracts for projects ranging from \$10,000 to more than \$100 million. We also provide ongoing counsel regarding the administration of, and disputes regarding, projects throughout the United States.

\$510 MILLION MANUFACTURING CAMPUS IN MEXICO

Location: Mexico, Leon

Advised a global manufacturer on the development of a 1.5 million sq ft manufacturing campus in Leon, Mexico, with a projected cost of \$510 million. We advised on lead contractor due diligence and interviews at outset of the project and prepared and conducted in-person negotiations of an EPC contract and ancillary project agreements.

SENIOR LIVING FACILITIES THROUGHOUT THE US

Location: US, Nationwide

Representing a New York City-based asset management firm in connection with the preparation of design and construction agreements for numerous senior-living projects throughout the United States.

MANUFACTURING, DISTRIBUTION AND OFFICE PROJECTS FOR FORTUNE 500 COMPANY

Location: Global

Advising a Fortune 500 company regarding design and construction matters for manufacturing, distribution and office projects throughout United States, Mexico, Canada, China, and the Middle East. We prepared a library of form design and construction contracts, as well as project-specific general contracts, design-build agreements, design-services agreements and build-to-suit leases.

STATE-OF-THE-ART \$130 MILLION DISTRIBUTION CENTER

Location: US, South Carolina

Advising on the preparation and negotiation of design-build contracts with process and building construction companies for a state-of-the-art, \$130 million distribution center in South Carolina on behalf of a global manufacturer of consumer products.

MULTIPLE MULTIFAMILY PROJECTS ACROSS THE US

Location: US, Nationwide

Representing a New York City-based real estate investment firm in connection with the design and construction aspects of joint venture agreements, development agreements and general contracts for numerous multifamily projects throughout the country.

KEEPING LONDON FLOWING

Location: UK, London

Advising on all aspects of the Thames Tideway Tunnel, the £2.4 billion project to create a sewer outflow tunnel under the Thames. Since successfully gaining planning consent in March 2015, we have provided procurement advice on early construction packages and the negotiation of agreements with numerous third party stakeholders.

DESIGN AND CONSTRUCTION OF LEISURE RESORTS THROUGHOUT THE US

Location: US, Nationwide

Advising a resort hotel and indoor water park operator on the design and construction of several resorts throughout the country, each costing more than \$100 million. Our advice has included preparation of form design and construction contracts and transaction-specific agreements; advice concerning construction procurement strategies; and leading negotiations of construction-related agreements.

SYSTEM-WIDE INFRASTRUCTURE PROJECTS FOR NEW YORK PUBLIC AUTHORITY

Location: US, New York

Advising a public authority in New York with regard to construction procurement strategies and cost containment measures for multiple system-wide infrastructure projects. We also updated a library of form contracts for the design and construction of these projects, costing between \$50 million and \$1 billion.

REPRESENTATIVE CLIENTS

- Canary Wharf Group
- Argent Related
- Highways England Company Limited
- GPE
- UOL Group
- Delancey

RELATED INSIGHTS

Insights

Apr 10, 2024

Lining up Completion Obligations and Delay Damages in Project Documents

In this Insight, first published in PLC, Ilan Freiman, Wanjing Goh and Vivica Fu consider the judgment of the Singapore High Court in *Terrenus Energy SL2 Pte Ltd v Attika Interior + MEP Pte Ltd* [2023] SGHC 333 in relation to a solar energy project.

News

Apr 04, 2024

Legal 500 EMEA Guide 2024

Insights

Mar 21, 2024

BSA 2022: recommended changes to construction contracts

In this Insight, first published in PLC, Kim Roberts, Katharine Tulloch and Corinna Whittle consider the key changes that parties may want to make to their construction contracts to take account of the new regulatory regime introduced by the Building Safety Act 2022 (BSA 2022).

Insights

Mar 18, 2024

NEC ECC Hong Kong Edition: 5 Key Features

News

Mar 07, 2024

BCLP advise on sale of Hyatt Place London City East hotel to Sun Venture

Insights

Mar 07, 2024

Offshore Wind Projects: Contracts, risks and looking forward

An article about offshore wind projects and some of the unique issues specific to the delivery of this type of project that are not typically addressed by existing standard form contracts.

Insights

Mar 06, 2024

Fair payment practices: recent developments

In this Insight, first published in PLC, Jennifer Badham discusses various attempts to address late payments and long payment terms that are a common problem in construction industry supply chains, including two recent developments, the British Property Federation Fair Payment Charter and the Department for Business and Trade Prompt Payment and Cash Flow Review Report.

News

Feb 20, 2024

Chambers Global 2024

Insights

Feb 19, 2024

Effective dispute avoidance in construction and infrastructure projects

In this article, BCLP partner Shy Jackson and Aluko & Oyebode partner Ngo-Martins Okonmah are collaborating to discuss the most effective means by which to avoid disputes relating to construction and infrastructure projects or, where that is not possible, to manage them more efficiently.