

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.

THE LEGAL 500: CONSTRUCTION COMPARATIVE GUIDE

What are the biggest challenges and opportunities facing the UK construction sector?

From general legal and regulatory compliance obligations, licensing and financial aspects to industry trends and developments, we share insights in this dedicated chapter.

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.

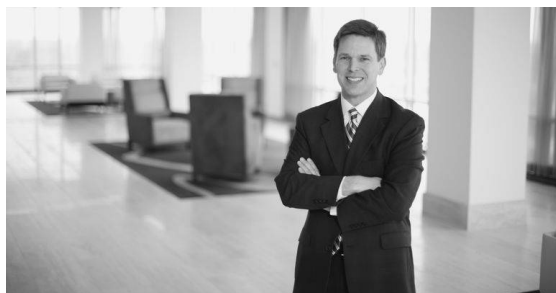
HOLISTIC, MULTIDISCIPLINARY ADVICE

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 29, 2025

"Battle of the Forms" in the Hong Kong Construction Industry

Insights

Apr 24, 2025

Reminder of the principles of assignment

In this Insight, Katharine Tulloch takes a look at the case of Grove Construction (London) Limited v Bagshot Manor Limited [2025] EWHC 591 (TCC) which provides a welcome reminder of the care which should be taken when drafting contractual assignment provisions.

Insights

Apr 16, 2025

Payment notices under the Construction Act 1996, a welcome clarification

News

Mar 31, 2025

BCLP advise GPE on acquisition of West End HQ development opportunity

Insights

Mar 03, 2025

Battle of the forms: a recent example

In this Insight, first published in the March 2025 edition of the NEC Newsletter, Shy Jackson considers the topic of the “battle of the forms” in the context of a recent Scottish case, Caledonia Water Alliance v Electrosteel Castings, where the parties each provided their own standard terms and conditions, but it was held that the applicable terms were governed by the Framework Agreement.

Insights

Feb 28, 2025

Government response to Grenfell Phase 2 report – an overview

The government has published its Response to the Grenfell Tower Inquiry’s Phase 2 report. This Insight takes a closer look at the Response focusing on some of the major reforms the government plans to make (for the full detail of the reforms, please refer to the Response) and the timeframes for such actions.

Insights

Feb 27, 2025

Government issues Model Adjudication Documents

On 10 February 2025, the Development Bureau (“DEVB”) issued a suite of model adjudication documents (“Model Documents”), including a set of model adjudication rules (“Model Rules”). This suite of Model Documents is not issued so as to be binding or operative in their own right. Rather, they are issued as guidance (perhaps strong guidance) for the various entities who will apply to Government to be recognised as approved adjudicator nominating bodies, “ANBs”, for the purposes of the Construction Industry Security of Payment Ordinance (Cap. 652) (“Ordinance”). Although it remains uncertain to what extent the Model Documents will be adopted by nominating bodies, the Model Documents offer a preview of how the Ordinance might function when it comes into operation on 28 August 2025.

Insights

Feb 27, 2025

HK Security of Payment Ordinance: what difference might it make in practice?

In Wang & Lee Contracting Ltd v Young Kwong Pui Trading as In Tech Engineering [2025] HKDC 66 (Date of Decision: 3 January 2025), the District Court ordered the court proceedings to be stayed and that the plaintiff’s claims be referred to arbitration. The court’s decision to grant a stay in favour of arbitration is entirely unsurprising and is consistent with Hong Kong courts’ pro-arbitration stance. What this article will explore is how this dispute might have proceeded along a different trajectory if the newly enacted Construction Industry Security of Payment Ordinance (Cap 652) (“Ordinance”) had been in force and applied to this dispute and the facts leading up to it.

Adjudication and insolvency: interface of two statutory regimes affecting the construction industry

Adjudication has become a key tool in the construction industry, helping employers and contractors resolve disputes quickly and keep cash flowing on projects. But when insolvency enters the picture, things can get tricky – especially when it comes to enforcing adjudication decisions or allowing insolvent parties to take part in the process. In this insight, we take a closer look at the legal approach to the interaction between adjudication and insolvency in England & Wales and Singapore, and what to look forward to in Hong Kong SAR as the Construction Industry Security of Payment Ordinance was gazetted on 27 December 2024 and will come to effect fully on 28 August 2025.