

Contract Drafting & Negotiation

For both public and private construction projects, the contract documents are the key to a successful project. The critical contract documents include not only the plans and specifications, but also the terms and conditions that define the parties' rights and obligations, from payment to schedule to indemnity to dispute resolution and everywhere in between. While a project with no issues is always the goal, properly drafted contracts protect and guide the parties when disputes arise and provide the structure for a successful project.

On public contracts in particular, the bidding documents are the essential first step in the contracting relationship. Numerous state and local laws must be followed, as well as federal laws when projects are financed in whole or in part with federal funding. Gibbs Giden attorneys have the expertise and experience necessary to draft bid packages, requests for proposals or qualifications, and contracts for all types of projects. Notably, our attorneys drafted the bidding documents, requests for proposals, and contracts for the \$160 million renovation of the Rose Bowl Stadium in Pasadena, California, which consisted of six phases and close to 50 separate contracts for construction, architecture, engineering, furnishings, construction management, and project management. We have drafted bidding and contract documents for numerous other capital improvements projects and roadway projects for many public agencies.

Gibbs Giden attorneys also have extensive experience in drafting and negotiating contracts such as private prime contracts, subcontracts on private and public works projects, and home improvement contracts. We are skilled in drafting and negotiating contract documents for traditional design-bid-build, design-build, and construction manager at risk projects. Our attorneys have expertise in drafting and negotiating contracts that utilize a single prime contractor, multiple primes, construction managers, project managers, joint ventures, and the continuously evolving variations fashioned by the industry to finance, design, and construct projects. Our understanding of the construction industry from the perspective of all of the players allows us to identify and address potential issues in contracts, and to negotiate for the benefit of our clients. We recognize that every project is different, and therefore the contracts for each project need to be tailored to the project's specific needs. Gibbs Giden also reviews contracts drafted by others and negotiates favorable terms for our clients.

To learn more, please call our Los Angeles office at 310-552-3400, our Westlake office 805-261-1777, our Irvine office at 949-287-8044 or our Las Vegas office at 702-836-9800, or contact us online.