

Sustainable Development/Green Building

Our Green Building and Sustainability attorneys serve client needs in the expanding area of green building and sustainable development. Our attorneys come from a variety of practice areas including, real estate, environmental, construction, insurance, and litigation practices to collaborate on strategies to address the developments in this field. Sustainability concerns impact multiple business decisions and Gibbs Giden keeps its clients' interests paramount to minimize unnecessary cost and risk.

LEED (Leadership in Energy and Environmental Design)

Gibbs Giden has multiple Green Building and Sustainability practitioners who have been accredited by the U.S. Green Building Council as LEED Accredited Professionals (LEED APs). These attorneys assist clients in exploring and navigating LEED and other certification programs, and help clients manage the legal and risk issues inherent in their building strategies. From design, construction and contractual matters, to leasing and insurance, Gibbs Giden can deliver valuable assistance as clients who move into the green building field. Our team represents developers and owners of office and residential properties, public or private owners building new or upgrading existing buildings.

Building "green," or sustainable construction, is of increasing importance throughout the United States and especially in California and Nevada. For certain public and private construction projects, green building standards are mandated. Gibbs Giden attorneys are adept at navigating the plethora of agencies and the rules and regulations concerning green building. In addition to navigating the regulations, our attorneys support clients interested in pursuing green building. Many owners find that sustainable construction actually results in lower operating and maintenance costs throughout the life of the building, thus justifying the potentially higher initial design and construction costs Gibbs Giden's "Green" Building team led by Theodore L. Senet, with Barbara R. Gadbois and Richard J. Wittbrodt., all have LEED AP designations. These attorneys possess significant experience assisting clients with:

- High Performance Buildings
- Energy and Water Benchmarking and Reporting

- LEED Certification
- Transportation Modernization and Infra-Structure Projects
- Renewable Energy and Micro-grid Projects
- Water Distribution, Efficiency and Recycling
- Insurance / Risk Management for Sustainable Development

Notable Projects and Cases

- Negotiated major EPC and power purchase agreements
- Drafted contract forms for solar lease and installation projects
- Assisted with builders risk insurance claims on large CSP plant
- Recovered damages for failure to obtain LEED certification on public works project
- Obtained substantial jury award on contract dispute regarding the thermal insulation value of windows
- Gibbs Giden construction lawyers are frequently asked to present and author articles on Sustainable Development and Green Building topics. Each year Gibbs Giden presents a conference, which among many other topics, addresses the ever-changing rules and regulations concerning Sustainable Development and Green Building. Below is a sample of relevant presentations and articles.

Relevant Presentations

- AGC Presentation on New California Sustainability Laws
- New Green Legislation Presentation

Relevant Articles

- Theodore L. Senet, Esq., New Solar Energy Requirements for Residential Construction and the Transition to Energy Independence California Real Property Journal, (April 2020)
- Theodore L. Senet, Esq., Co-Author, *THE WINDS OF CHANGE ARE BLOWING: Staying Ahead of the Sustainability Trends in Building Codes and Regulations*, Earth, Wind, Fire and Water: Sustainable Construction in a Changing Environment, 2017 ABA Forum on the Construction Industry MidWinter Meeting, February 2-3, 2017.
- Theodore L. Senet, Esq., Author, New California Sustainability Laws, The Public Law Journal, Vol. 38,

No.1, Winter 2015.

- Theodore L. Senet, Esq., Sustainability - How California Cities are Changing the World, Presented at California League of Cities Conference, 2014.
- Theodore L. Senet, Esq., Co-Author, California Statewide "Green" Building Code New Challenges and Opportunities , CMAA Southern California Chapter newsletter, Legislative Section, Fall 2008.

Gibbs Giden's recognized credentialed attorneys keep our clients up to date with the best information for where their business is focused while guiding them through the green building process. To learn more, please call our Los Angeles office at 310-552-3400, our Westlake office at 805-261-1777, our Irvine office at 949-287-8044 or our Las Vegas office at 702-836-9800, or contact us online. You may also see our related practice areas of Energy and Environmental Law. We look forward to assisting you.