LEGAL REPRESENTATION BUILT TO SUIT

Construction is a multiphase process with each phase presenting its own set of challenges. Miller & Martin's Construction lawyers are available to guide your company through each phase of construction by providing seasoned and practical counsel to address ever-evolving industry trends. Whether you are an owner, contractor, design team member, supplier, lender or surety, our lawyers have the skill, knowledge and experience to assist you with navigating through these challenges.

Our team of skilled attorneys helps you manage risks even before construction formally begins when you are acquiring property, preparing designs from concept to permitted drawings, and negotiating contracts. We prosecute and defend payment, delay and impact claims for our clients. Additionally, we represent our clients in matters involving Labor and Employment issues, Litigation, Environmental challenges and other legal matters including public-private partnership (P3) opportunities guided by our attorneys experienced in Governmental Affairs and Governmental Contracts. Our lawyers recognize the labor-intensive nature of construction and are accomplished in resolving issues related to Workplace Environmental, Health & Safety/OSHA. We are also available to assist with Immigration matters.

We are ready to serve on a local, regional and national basis. Miller & Martin lawyers have resolved issues confronting the construction industry through direct negotiation, mediation, arbitration and litigation. We are with you in the early stages of contract negotiations, when disagreements first arise, and in the later stages of advanced litigation and trial. Our attorneys can help your business defend itself against potential claims, as well as manage its reputation in the industry and community.

Miller & Martin's construction lawyers are recognized leaders in the construction-law field. Our members have been included in The Best Lawyers in America®, Georgia Trend's Legal Elite, Georgia Super Lawyers, Georgia Rising Stars, Mid-South Super Lawyers and Mid-South Rising Stars.

Our attorneys have drafted construction legislation and are active voices in industry trade groups, including Associated General Contractors (AGC) and its local chapters, Tennessee Association of Construction Counsel (TACC) and Construction Financial Management Association (CFMA). We frequently speak at conferences, training seminars and industry-related events.

SELECTED EXPERIENCE

- Successfully arbitrated an award in excess of $17,000,000 for a General Contractor against a large energy company for delay and disruption damages.
- Negotiated and modified AIA and other types of contracts for various commercial projects, including a $650 million convention center contract.
- Represented a national correspondent bank in negotiation of a multimillion dollar AIA contract for the construction of an office building and multiple aircraft hangers.
- Participated in or supervised the drafting of construction documents for the world's largest soft drink bottler.
- Negotiated and drafted contracts between owners and general contractors and also between general contractors and sub-contractors with dollar values up to hundreds of millions.
- Defended claims totaling $20 million in connection with a $250 million construction of a major ethanol conversion facility.
- Defended one of the nation's largest chemical manufacturers in claims arising out of breach of contract and construction and function of a CO2 conversion facility.
- Represented subcontractors in pursuing and defending claims on major construction projects, including a major arena resulting in recovery of nearly $1 million in delay claims.
- Handled the negotiation of transportation and public infrastructure incentives in excess of $200 million dollars for development projects in various states for publicly traded companies.

- Defended a yarn manufacturer in a multimillion dollar claim involving inducement to breach of contract.
- Represented developer in a multimillion dollar arbitration involving defective work, delay damages and surety claims.
- Represented clients in non-jury trials in a multitude of commercial areas including UCC, breach of contract, construction claims, insurance coverage, breach of employment contracts and covenants not to compete.
- Consulted with large regional general contractors on risk management and construction disputes involving both small and multimillion dollar claims.
- Successfully assisted clients with environmental enforcement and regulatory matters at the local, state and federal levels.
- Served as defense counsel for contractors in nuisance/trespass suits by property owners.
- Testified before the United States House of Representatives on the subject of environmental regulation and its impact on the private sector.
- Represented explosives supplier of Nashville Superspeedway project resulting in judgment of approximately $1 million following trial.
- Represented owners and general contractors in the preparation and negotiation of construction contracts for commercial construction and multi-family residential construction.
- Drafted and managed both AIA and non-AIA construction and architectural agreements.
- Prepared form contracts for a large hospital and various developers.
- Advised on the expansion of manufacturing facilities including determining specifications for process equipment, fabricating equipment and infrastructure.
- Represented regional industrial contracting company in connection with employee fatality at multi-employer manufacturing worksite. Assisted client with emergency response to fatality, interaction with medical examiner and managed client's OSHA fatality investigation including disputed cause of death, insurance claims, citation matters and sensitive interactions with other employer parties.
- Represented regional highway and bridge construction company in MSHA enforcement matter related to equipment and operational matters at a regulated mine site. Negotiated complete elimination of significant and substantial "S&S" gravity citations, resulting in a nominal penalty of less than $400.

RELATED PRACTICES

- Appellate
- Bonds & Tax Incentives
- Business Litigation
- Environmental
- Healthcare
- Immigration
- Insurance Litigation
- Labor & Employment
- Litigation
- Real Estate
- Workplace Environmental, Health & Safety/OSHA

RELATED ATTORNEYS



Randy Wilson

CHAIR

Member
423.785.8382 | Email

Megan Ehrig

J. Andrew Whitten

Scott Simmons

Haley Moody

Randy Scoggins

Leah Gerbitz

Larry Cash

John Bode

Robert Norton

Ian Quillen

Jeff Guild

James Williams

Scott Parrish

Ellis Lord

Stacie Caraway