

# HEWITSONS

## CONSTRUCTION LAW



The Construction team at Hewitsons has a leading reputation for advice in regard to construction projects UK wide and related matters. From dispute resolution to advice on the procurement of commercial, residential and infrastructure projects, the team has won plaudits for its effective and pragmatic approach to meeting the objectives of clients.

The team has a deep understanding of the construction sector based on its long standing relationships with contractors, construction professionals, developers, funders of construction projects as well as clients and manufacturers and suppliers of construction products and services. A broad client base to be sure – but we are able to draw on a real depth of experience and understanding to make sure we deliver the right advice.

Our services include advice on procurement, construction contracts, commercial agreements, development agreements and in regard to all forms of dispute resolution.

### Procurement

The team advises public sector clients, as well as commercial sector tenderers, on all aspects of construction procurement, including in relation to complexities of the EU public contracts legislation and procedures, the preparation of tender documentation, contract notices and related documentation. The team also advises on challenges to procurement processes.

### Construction contracts

The team's expertise covers standard form and custom made construction contracts, and all contractual aspects of a construction project including:

- Preparation of and advice on amendments and supplements to construction contracts.
- Advice on guarantees and security arrangements, including performance and retention bonds.
- Dealing with the requirements of funders, purchasers and/or tenants, including byway of third party contract rights and collateral warranties.
- Partnering and framework arrangements.
- Ongoing facilities management and maintenance agreements for retained developments.

### Development agreements

These agreements are used to regulate the interests of everyone from the developer to the landowner – including prospective tenants, purchasers and financiers – involved in development projects.



They also integrate the project team of building contractors, architects, engineers and other professional consultants. Our advice in this field covers issues relating to:

- Completion of designs and specifications and obtaining planning and other statutory consents for the development.
- The appointment of building contractors and the construction professional team and the obligations of the principal parties.
- Facilitating rights of inspection and approval, including in regard to milestone payments, practical completion and defective works.
- Providing for appropriate third party contract rights and/or collateral warranties.

When required, we can call on the considerable expertise of property, commercial and other specialist Solicitors within Hewitsons.

### Commercial agreements

We will advise on the appointment of architects, engineers and surveyors and other construction professionals, and also help with the drafting of bespoke forms of professional consultancy agreements.

The team has proven experience in a wide range of commercial agreements for clients involved in construction, including funders, developers, building material manufacturers and suppliers, as well as consultants and contractors.

Advice here includes:

- Partnering and framework agreements providing medium to long term commercial arrangements with trading partners.
- Terms and conditions for the supply and purchase of services or goods and materials.
- Help with agreements to regulate the practices and procedures for specialist installers and subcontractors.

Our clients demand value from the legal services we provide. Rest assured that when you work with Hewitsons, we'll aim to secure your interests without losing sight of the commercial realities. You won't find us re-inventing the wheel for the sake of it!

### Disputes

If disputes arise, the team has a high reputation in regard to advice on all forms of dispute resolution (including adjudications, Alternative Dispute Resolution, arbitration and litigation). With substantial experience of advising clients from all parts of the construction sector on disputes, we can guide you through the process and assist you to meet your objectives based on a pragmatic and commercial approach.

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We pride ourselves on delivering an outstanding service to a wide range of individuals, businesses and institutions including charities, educational and sports bodies. The firm's size and breadth of specialisms means each client receives the focus it requires. We operate UK wide and have worldwide reach via our network of independent law firms, LawExchange International.

This document is written as an outline guide only and any action should not be based solely on the information given here. Appropriate professional advice should always be taken in specific instances.

Hewitsons LLP is authorised and regulated by the Solicitors Regulation Authority.