

## HOW TO AVOID 3 COMMON LEGAL PROBLEMS IN CONSTRUCTION PROJECTS

Successful construction projects don't happen by accident. The owner, design team, and construction team all have to do a lot of planning. Unfortunately, they don't always plan around legal problems.

But I've been doing construction law for over 18 years, and as they say: I've seen a thing or two. Here are three legal "gotchas" you should plan to avoid:

### **1. Don't Start Work Without a *Signed Written Agreement*.**

Once you start work you've lost pretty much all negotiating leverage. Once work starts, the last thing that either side wants to do is *stop* the work because they can't agree on contract terms.

A lawyer with lots of experience with construction projects can help expedite the negotiation of a reasonable agreement that all parties can accept, but that will also protect that lawyer's client. If you want to enter into agreements without talking to a lawyer (not a good idea), then at least make sure you have an agreement signed by all parties before the work begins.

### **2. Don't Sign Any Proposals Without Carefully Reading the Terms and Conditions**

Too many people are intimidated by legalese and when they encounter it they decide to avoid it by not reading it at all. At least make sure you understand how risk is being apportioned in the agreements you sign.

For example, look for any provisions related to "limitation of liability" and "indemnities." These terms can absolutely come back to haunt you so make sure you understand what risks you're assuming if things go south.

### **3. Don't Miss Notice Deadlines**

Construction contracts typically have "notice requirements" for claims that arise during the course of a project. You need to know what those notice requirements are, and then make sure you don't miss any deadlines if claims arise for delays, differing site conditions, additional costs, etc.

If you miss a deadline then the law may deem your claim to have been totally released (translation: you won't get paid). So make sure you don't miss any notice deadlines.

### **Find a Good Lawyer You Can Trust**

A good lawyer with experience in handling construction law matters will help your projects succeed by helping you avoid common problems. You should find someone you trust to advise you on the legal pitfalls that you're bound to encounter.

### **Want Me to Help?**

If you need helpful legal advice give me a call. Contact my office at this number: **972-355-6600**.

The sooner you call the sooner we can talk or meet.

I wish you the best and hope to speak to you soon.

## **Dale Butler**

**Phone # 972-355-6600**



Dale Butler is Board Certified in Construction Law by the Texas Board of Legal Specialization, and has been named as a Best Lawyer© and as a Texas Super Lawyer in Construction Law and Construction Litigation.