



Construction

Attorneys

- Randy S. Bartell

Expertise

Construction is a vital economic sector for New Mexico and the nation. Clearly, construction drives economic growth, but that essential activity would never get started without capable legal representation to protect the interests of the parties involved. The construction law group at Montgomery & Andrews, P.A. has represented clients across the spectrum of the construction industry, including:

- Lenders
- Private property owners
- Governmental property owners
- Developers
- Sureties
- Insurers
- Architects
- Engineers
- Surveyors
- Construction managers
- Builders
- Contractors
- Suppliers

The best time to protect your economic interests throughout the life of your construction project is during the preconstruction process. Only experienced construction attorneys can put in place the comprehensive protection you need, particularly for complex commercial enterprises. Our attorneys routinely assist clients in all aspects of the preconstruction process, including:

- Financing
- Contract negotiations
- Licensing
- Permitting
- Bonding
- Lien perfection and bond claims
- Insurance compliance
- Mechanics liens

As part of the preconstruction process, we develop comprehensive architect, engineer and contractor agreements. Our attorneys have extensive experience with the negotiation of AIA, DBIA and AGC contracts and other standardized industry forms. We have experience representing owners, architects, engineers and contractors in contracts for a broad array of commercial and residential projects.

Solid preconstruction legal work can minimize risk, but no amount of planning can ever eliminate it. When controversies arise, you want rapid solutions that prevent additional losses. The commercial law and litigation group at Montgomery & Andrews, P.A. is experienced in every form of dispute resolution proceeding, including mediation, dispute resolution boards, arbitration, litigation (state and federal), and appeals. When disputes arise regarding insurance, our construction coverage group is also available to provide coverage analysis and opinions relating to:

- Builder risk
- Commercial general liability
- Professional liability
- Workers' compensation
- Wrap-up and project policies
- Performance bonds
- Payment surety bonds

Our attorneys regularly assist sureties in claim cases relating to bonds and indemnity agreements. M&A upholds a surety's right of equitable subrogation to contract balances, and

indemnification from the surety's indemnitors. We are skilled trial and appellate attorneys, fully capable of taking your case to court. But we also know that your needs are best served through whatever means can resolve your dispute in the most cost-effective manner.

The construction industry must comply with the Miller Act, the New Mexico "Little Miller" Act, and other federal and state regulations. Attorneys advising on compliance must have a deep understanding of sureties along with knowledge of commercial law and construction law. M&A is regularly called upon by members of the National Association of Surety Bond Producers (NASBP) to represent their interests before regulatory, administrative and legislative bodies.