

RUDKIN HITCHCOCK

LAWYERS

Construction

Rudkin Hitchcock has a team of professional, experienced people. Our construction law practice, which is headed up by the Litigation Partner Jonathan Hitchcock, specialise in all aspects of the constructions industry.

Rudkin Hitchcock's building and construction team has advised on aspects of some of the Gold Coast's most significant construction projects in recent times and in the process has built a strong reputation in South East Queensland amongst our peers and within the construction industry for providing superior, expert advice in a difficult and specialised industry.

Whilst our team possess a strong legal and technical excellence, we also ensure our team have a genuine knowledge of the construction and engineering industry and its key players. We provide practical solutions which take into account not only the application of the building and construction law, but also the parameters within which our clients operate on a local and accessible basis.

We are skilled in contract drafting, advising on proposed contracts, advice on tenders and negotiations. We are also skilled and experienced in dispute resolution and litigation.

Our Solicitors advise a wide range of local clients including contractors, sub-contractors, owners, occupiers, developers, financiers, authorities and consultants.

Before disputes arise, our team can provide expert guidance on avoiding disputes and risk management. However, if a dispute does arise, our team's extensive litigation, mediation and

arbitration experience allows us to deliver the best commercial solution for our clients.

Our wealth of experience has resulted in our coming face to face with, and resolving, most legal issues that confront contractors, developers, consultants and owners on the Gold Coast and south east Queensland.

As a result of Rudkin Hitchcock's strong and reputable practice in the areas of commercial and property law, we are able to handle all work associated with construction projects, such as joint ventures, corporate control, takeovers, buy outs, transmission or projects and insolvency.

Our Services

We have an excellent reputation in the marketplace for performance. From concept through to completion, we advise on all roles including initial concept, development, contract drafting, documentation, project management and completion.

Our team of Solicitors are experts in:

- Drafting and perusing all forms of standard and non-standard tender/contract documents;
- Assistance and advise upon contract administration;
- Advising on risk management strategies;
- Dispute resolution during and after the contract period including mediation, arbitration and all other forms of alternative dispute resolution;
- Appearance before the Commercial & Consumer Tribunal, Building & Construction Industry Act, 2004, and Court;

- All aspects of conducting litigious matters.

Our firm offers a full spectrum of legal solutions in the area of construction law including:

Contracts

We are familiar with all AS, RAIA, Master Builder, HIA and BSA standard form contracts, as well as the other forms of custom contracts used by major developers/building companies. We also have experience in dealing with engineering and international forms of contract. From our experience, we are able to quickly assess and advise on areas in contracts and tenders which have potential risk areas to our clients.

We are experienced in drafting, reviewing and negotiating on:

- Major building and engineering contracts
- Tender and project documentation
- Building works contracts
- Capital works projects
- Development deeds
- Project finance documentation
- Joint venture agreement

Litigation & Alternative Dispute Resolution

Our people have extensive experience in resolution of disputes by negotiation, arbitration, expert determination, mediation and litigation.

We are experienced in alternative dispute resolution, arbitration and litigation on the full range of dispute and insurance issues including:

- Time related claims - prolongation, acceleration, disruption, liquidated damages;
- Variation claims;
- Rise and fall claims
- Quantum meruit claims

- Latent condition claims
- Quality of work claims
- Bank guarantee and performance bond disputes
- Insurance claims under contractors' all risk, public liability and professional indemnity policies

Our team tries to focus on developing appropriate alternative dispute resolution strategies. Once those strategies have been developed, they are conducted separately to, or run concurrently with litigation or arbitration proceedings. These may include:

- Mediation
- Expert review, appraisal or determination
- Facilitated discussions

We are able to provide guidance and strategy in prosecuting and/or defending statutory adjudications.

We have successfully prosecuted numerous builders and building companies for delay claims, faulty and/or negligent work, and variation claims on behalf of our clients. We have also successfully defended claims brought against our clients for a variety of allegations including allegations of negligence and default under contract provisions.

Our extensive legal understanding and practical knowledge of the local building industry enables us to act quickly in handling building disputes and thereafter attempting to avoiding long drawn out, and expensive, dispute resolutions.

Our team's ability to provide superior services in the area of construction law has been consistently recognised. We are regarded in south east Queensland as the leading Gold Coast construction practice.

Initial Contact

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