

Construction

Federal, state, and local governments spend billions of dollars each year to procure and fund all stages of public construction—from architect and engineering to construction and repair. Wiley leverages its significant government contracting experience to represent entities involved in public construction on unique issues that arise when interacting with the government. Wiley counsels contractors on compliance matters, including the Davis-Bacon Act and related investigations, Buy American and other domestic preference requirements, and grant compliance obligations. Wiley also regularly litigates protests and cases relating to public construction and assists in evaluating, preparing, and prosecuting requests for equitable adjustments and claims involving issues such as defective specifications, differing site conditions, constructive changes, and delay.

Our deep bench of accomplished government contracts attorneys collaborate with numerous other Wiley practices, including Litigation, White Collar Defense & Government Investigations, Employment & Labor, and International Trade.

Representative Experience:

- Represented client in parallel criminal and civil False Claims Act investigations related to timekeeping on major Department of Energy construction contract for nuclear remediation; after settlement, Wiley has continued to advise the client on ongoing compliance matters.
- Representing multiple clients in claims litigation at the Armed Services Board of Contract Appeals involving construction/repair contracts with the U.S. Army Corps of Engineers.
- Represented client in a multiparty litigation involving a transit authority, a developer, a design-build prime contractor, and the architect/engineer of record before the U.S. District Court for the Eastern District of Virginia. The litigation involved numerous claims and counterclaims, including construction delay claims, constructive changes, liquidated damages, and professional negligence.
- Represented an Afghani construction contractor on terminations for default issued by the U.S. Army Corps of Engineers on two Army base construction projects in Afghanistan. The matter was successfully settled, with termination payments made to our client.
- Assisted a federally funded grant recipient with an internal audit of subcontractor compliance with the Davis-Bacon Act, and provided training as well as corrective action plans for subcontractors where the investigation revealed Davis-Bacon Act compliance issues.

Contact Us

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