

HOSPITALS AND HEALTHCARE

Typical Legal Services

- ◆ **Provide strategic advice in planning overall capital improvement programs**, from project inception to final completion. Includes assistance in selecting design professionals, environmental consultants, and other professionals to carry out the project, as well as assistance in preparing bid packages and awarding the contract.
- ◆ **Prepare construction and design contracts** for architects, engineers and contractors.
- ◆ **Monitor construction, renovation and environmental projects and implement trouble-shooting during the project.** Includes addressing errors and omissions claims, defaults, defective work, and providing practical solutions with assistance from the firm's strategic alliances to address project challenges.
- ◆ **Set strategy for scheduling, sequencing and phasing during renovation and expansion of facilities**, specifically relating to life-support systems, health and safety. Special concern for medical procedures that take place during the construction process.
- ◆ **Resolve outstanding financial, legal liability and warranty issues** at project closeout.
- ◆ **Resolve project disputes** using mediation and other dispute resolution techniques during the project and after completion.
- ◆ **Assist in addressing environmental issues** relating to asbestos, mold, indoor air quality, hazardous waste and other issues.
- ◆ **Litigate and arbitrate disputes** relating to construction claims, construction defects, Mechanic's Liens, and errors and omissions in design.
- ◆ **Resolve environmental compliance issues** through negotiation, administrative proceedings and court.

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Representative Experiences

- ◆ CHANGED CONDITIONS FOUND DURING CONSTRUCTION OF GROUP PRACTICE OFFICE
Doctors on Long Island embarked on construction of an office for their group practice. When the excavation contractor encountered unanticipated rock, it appeared that the project would have to be abandoned due to inadequate funds to address the changed conditions. Our firm solved the problem by hiring an engineering expert to redesign the foundation and by negotiating with the excavator to keep its original price, thereby allowing the project to be completed on budget and on time.
- ◆ MEDICAL CENTER CONSTRUCTION MANAGER FILED BANKRUPTCY MID-PROJECT
During the addition of a new wing to a Manhattan medical center, the construction manager filed for bankruptcy, threatening cost overruns and lengthy delays. John E. Osborn P.C., on behalf of the medical center, guided the project to completion by assembling a new project team and by negotiating with the remaining subcontractors to complete the project with minimal disruption and without significant cost overruns.
- ◆ MOLD IN OPERATING ROOM
When mold growth appeared on the walls of a newly constructed health care facility's operating room, we brought in an environmental consultant to determine the cause and to eliminate the mold. The mold was abated by eliminating its source, the walls were removed and replaced, and the project proceeded without further incident.
- ◆ DELAYS AND COST OVERRUNS PREVENTED WITH STRATEGIC CONTRACT DOCUMENTS
Design and construction contracts – carefully drafted, negotiated and coordinated by John E. Osborn P.C. – allowed for a major renovation (\$10 million) of a Manhattan medical center to proceed seamlessly to completion, on schedule and without claim.
- ◆ ASBESTOS ABATED AND RENOVATIONS COMPLETED WHILE MEDICAL CENTER REMAINED OPEN
A medical center in Queens was concerned with the safety and efficiency of performing a renovation, including asbestos abatement, while the facility remained open and fully operational. By working with hospital executives and contractors, we developed legal provisions and schedule strategies that accommodated safe and smooth project completion. Our firm also addressed a session of 100 hospital personnel to explain the procedures and to respond to questions about their efficacy.