

MECHANICAL ENGINEERS

Typical Legal Services

- ◆ **Draft and negotiate contracts** for design professional services.
- ◆ **Defend errors and omissions claims.**
- ◆ **Provide pre-claim consultation and advice** relating to potential errors and omissions claims.
- ◆ **Review and advise on insurance requirements.**
- ◆ **Negotiate and resolve fees due.**
- ◆ **Consult and advise on environmental management issues.**
- ◆ **Analyze and advise on business structure** of mechanical engineering firms.
- ◆ **Prosecute, defend and negotiate disputes** in arbitration, mediation and litigation.
- ◆ **Prepare overall project planning** in conjunction with mechanical engineer, architect and owner.
- ◆ **Provide assistance and legal advice in addressing environmental issues** relating to mold, indoor air quality, hazardous waste and other issues.

MECHANICAL ENGINEERS

Representative Experiences

- ◆ SIGNIFICANT CONTRACT BALANCE OBTAINED FOR MEP ENGINEER FROM HOSPITAL PROJECT ARCHITECT

When a mechanical engineer was owed a contract balance in excess of \$300,000, John E. Osborn P.C. investigated and discovered that the project architect had already received payment of all of the funds and had simply held the funds for its own use. By tactfully communicating with the owner's and architect's attorney and threatening a Mechanic's Lien and trust fund diversion action, we obtained prompt payment.

- ◆ CONTRACT BALANCE CLAIM ON SCHOOL PROJECT RESOLVED FOR MEP ENGINEER

When a complex ownership change was carried out on a school sale and leaseback project, the property owner failed to pay the architect, and the architect did not pay the mechanical engineer. Our firm used the Freedom of Information Law and asserted rights against the architect to obtain payment while fending off a baseless errors and omissions claim.

- ◆ CONTRACT AND RISK MANAGEMENT PROGRAMS DEVELOPED BY JEOPC FOR MEP FIRMS

John E. Osborn P.C. has worked with mechanical engineering firms in developing overall risk management programs and in advising mechanical engineers on how to comply with standard of care and ASHRAE Standard 62.1 Indoor Air Quality requirements. As a part of its services on providing an overall prospective on business strategies and risk management approaches for mechanical engineers, we presented an executive briefing entitled "Doing Quality Work and Getting Paid for It." The briefing presented an overall strategy for protecting against baseless claims and assuring payment through the use of effective and clear scopes of work and strategic client management.