

## Construction Law Advisory Service

Specialists

In-depth knowledge

Commercially minded

Pragmatic

Experienced

Reliable

Cost effective

Approachable

### Bell & Scott's Construction Team

Bell & Scott's construction team is headed up by Brandon Malone and Pat Loftus, both of whom are Law Society of Scotland accredited construction law specialists.

Having two specialists at the helm, gives Bell & Scott's construction team an enviable edge, with in-depth knowledge of the construction sector.

The team's knowledge and skills come from years of exclusive focus on construction law for a wide range of clients in the developer, contractor and funder market.

We have contentious and non-contentious work covered.

#### Brandon Malone - Head of Construction

Brandon heads the firm's construction team. With a background in commercial litigation and extensive experience of construction procurement, he now focuses exclusively on contentious construction matters, dealing with the avoidance, management and resolution of construction disputes.

He is appointed to the Society's Construction Law Adjudication Panel. He is a regular speaker at conferences on construction law and lectures on dispute strategies and comparative dispute resolution techniques at the Glasgow Graduate Law School.

Brandon has working experience of all forms of dispute resolution. He is an experienced arbiter, and, as a solicitor advocate, able to represent clients in the Court of Session.

#### Pat Loftus - Partner

Pat is dual qualified in England & Wales and Scotland and holds a LLM in Construction Law. Focussing entirely on non-contentious construction issues, he works closely with the firm's various property teams.

He drafts and negotiates construction contracts, concession/project level documentation, subcontracts, professional appointments, collateral warranties, guarantees and bonds and regularly liaises with clients to identify and assess key project risks, advising on the construction elements of development agreements, agreements for lease and sale and purchase documentation. He has worked with all the major suites of construction industry standard forms, including the JCT, SBCC NEC and ICE along with drafting and negotiating bespoke contracts.

The team also advises on EU procurement issues.



**Construction clients requiring "straightforward and concise construction advice" turn to Bell & Scott.**  
*Chambers 2009*

**Brandon Malone is "exceptional to work with - he really does go the extra mile."**  
*Chambers 2009*

**"A firm that is definitely on the rise."**  
*Chambers 2009*

## Construction Law Advisory Service

### Building Contracts

### Procurement

### Professional Appointments

### Development Agreements

### Infrastructure Agreements

### Letters of Intent

### Performance Bonds

### Letters of Reliance

### Collateral Warranties

### 3rd Party Rights

### Dispute Resolution

### Adjudication

### Arbitration

### Mediation

### Litigation

## Client demands

What do you do when a client brings you a matter which is outside your usual area of practice?

We've all been there. You want to help your client, but you realise that the matter in hand is not something you can readily advise upon.

You don't want to let them down, nor do you want to lose their business.

### We can help!

As a team focussed entirely on construction law we offer you and your clients access to our expertise.

Should you seek our help we will discuss with you how best we can assist you and your client:

- Access to our style documentation for use on projects
- Discussing tactics and issues with you, ie providing a second opinion
- Providing advice on specific construction queries as they arise during your dealing with the matter
- Advising "in the background" while you continue to front the matter
- Taking on the whole matter on your behalf

We will agree with you at the outset:

- Our level of involvement
- Communication with your client
- Potential Costs

### Fees

For any services we provide we will agree with you a fixed fee based on an agreed remit, and pay you commission of 10% on any fees we receive for work you refer to us.

## Client security

We will not undertake any direct work for your clients which you would normally carry out for them or which is within your normal areas of practice.

Your clients are yours, and we are there to assist in a specialist area you may not be able to offer your client. We believe that our construction law advisory service will enable us to build relationships with firms who would like to have our back-up from us.

We believe this scheme is something which can enhance the service you offer to your client.

### Win - win situation

- Your client has ready access to advice and assistance in a specialist area
- You add value to your client relationship by offering specialist construction advice
- You get access to market tested precedents
- You get instant access to up to date know-how in the construction sector
- You receive commission in respect of the fees we receive for our services;
- You reduce the risk of professional indemnity claims
- You are invited to selected seminars as part of our in-house training programme
- You are offered the opportunity to receive any or all of our email updates

## Contacts

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