



William K. Hurley, Partner

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Bill Hurley has more than 32 years of construction law experience. With a background in litigation, his practice has evolved to a transactional-oriented practice with an emphasis in representing real estate developers and general contractors in all facets of construction. Focusing on the preparation and negotiation of prime contracts, design-build contracts, design professional contracts, joint venture agreements, subcontracts, purchase orders and other agreements for commercial and residential construction projects, a significant component of Bill's practice involves advising both real estate developers and general contractors with regard to the myriad of issues that arise on a daily basis on construction projects and offering practical, common sense solutions based on his decades of experience addressing complex construction issues.

Education

Santa Clara University School of Law, J.D., 1984

University of California at Santa Barbara, B.A., Political Science, with honors, 1979

Practice Areas

Construction

Bar Admissions

State Bar of California

U.S. District Court, Northern District of California

U.S. District Court, Eastern District of California

In addition to practicing in state courts throughout California, Bill is versed in handling private mediations, as well as arbitrations before various ADR providers, including the American Arbitration Association and JAMS.

Bill is rated AV® Preeminent™ on Martindale-Hubbell and has been recognized as a Northern California Super Lawyer every year from 2008 to 2017.

Representative Experience

- Represented developers in the negotiation of dozens of construction contracts for apartment and condominium projects in Northern and Southern California.
- Represented developers in the negotiation of numerous architectural and design professional contracts for apartment and condominium projects in Northern and Southern California.
- Represented general contractors in negotiating hundreds of prime contract agreements relating to commercial construction throughout the state of California.
- Represented a general contractor in the negotiation of a \$225 million prime contract to construct multiple buildings on a high tech campus in Silicon Valley.
- Represented various general contractors in negotiating joint ventures for construction projects.
- Represented various general contractors in negotiating design-build construction contracts for commercial projects throughout the state.
- Represented numerous general contractors in negotiating lease leaseback construction documents in connection with the construction of school and school related facilities.
- Represented large general contractor in the negotiation of a substantial claim and owner counter-claim on large office and manufacturing project in Las Vegas, Nevada.
- Represented developer in dispute with architect regarding copyright issues arising from the assignment of architect's intellectual property.
- Represented large commercial general contractor on significant payment claim against a Fortune 500 company.
- Represented large commercial general contractor in resolving a mechanics' lien claim against the property owner based on work performed for the tenant of the owner's property.
- Represented commercial general contractors in resolving various disputes with subcontractors including scope claims and delay and disruption claims.
- Representation of a large, out-of-state general contractor in negotiating a construction contract with a Native American tribe relating to the construction of a casino.
- Represented a large general contractor in negotiating a construction contract with a publicly traded REIT in connection with the construction of a retail shopping complex in San Jose, California.

Affiliations

- California State Bar Association
- American Bar Association
- Member, Legal Advisory Committee, Associated General Contractors of California
- Board Member, Associated General Contractors of California, Santa Clara District
- Board Member, American Society of Professional Estimators, Silicon Valley Chapter
- Member, American Bar Association, Forum on the Construction Industry



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Speaking Events

- Getting Paid for the Performance of Work, Construction Financial Management Association, 2015
- Recent Developments in Construction Law, American Society of Professional Estimators, 2014
- Changes to California's Mechanics' Lien Laws, Construction Financial Management Association, 2013
- Joint Ventures, FMI Peer Group Meeting, 2013
- Legislative Update, American Society of Professional Estimators, 2013
- A Practical Guide to Liens, Stop Notices & Bonds, Blach Construction, 2012
- Mechanic's Liens and Other Related Construction Issues, Professional Broker's Forum, 2010
- Introduction to ConsensusDOCS, Associated General Contractors of California Spring Conference, 2009
- Introduction to ConsensusDOCS, American Society of Professional Estimators, Santa Clara Chapter, 2008
- The Construction Contracts Program: Understanding and Negotiating the Clauses in the New Industry Form Documents, ADA Forum on the Construction Industry, 2008
- The New AIA Documents, Associated General Contractors of California, Legal Advisory Committee, 2007
- Allied North America, General Contractor Seminar, 2005
- Constructing Indian Casinos in California: A Safe Bet?, Associated General Contractors of California, Legal Advisory Committee, 2005
- Construction Law: Can This Job Be Saved? Creative Strategies for Project Completion and Litigation Avoidance, Lorman Educational Services, 2000, 2001, 2002
- Risk Management, American Institute of Architects, Santa Clara Chapter, 1999
- California Mechanics Liens and Related Remedies, California Continuing Education of the Bar, 1999
- California Mechanics Lien Law. Lorman Education Services, 1998-1999
- Mechanic's Lien Presentation, Associated Builders and Contractors, 1995

Publications

- Viewpoint: Contractors Face Extended Exposure for Prevailing Wage Violations, *ENR California*, August, 2014
- Design-Build and Public Works Projects, *The Construction Specifier*
- How to Minimize the Impact of Bankruptcy Through Your Subcontract, *Associated General Contractors of California Legal Briefs*, Issue 76-6
- Getting Paid: The Contractors Arsenal, *Associated General Contractors of California Construction Law Manual*, Volume III