



D. Joseph Darr

Partner

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Joe's practice is focused on construction and commercial litigation in both state and federal courts. His experience includes representing ENR Top 400 contractors and many of the largest sureties in construction and commercial disputes on large public infrastructure projects. His background also extends to other construction-related matters, including False Claims Act actions, bid protests, and employment law matters, such as wage/overtime actions and retaliation claims. Also, he was involved in the contract drafting and negotiation process for several public-private partnership projects.

During his downtime, Joe enjoys saltwater fly fishing. He also is an instrument-rated pilot and aviation enthusiast that loves to travel to places only a small plane can reach.

Representative Experience

- Represented large construction manager and several sureties in a \$3+ million dispute with a subcontractor involving delay and acceleration damages in connection with the construction of a hospital project.
- Defended a subcontractor in a dispute involving approximately \$1.1 million in alleged damages arising out of the construction of a road project, which was advantageously

resolved through mediation.

- Represented a large engineering firm in a dispute involving approximately \$1.3 million in unpaid engineering services, which resulted in a favorable settlement for the client.
- Advised the concessionaire for a multibillion-dollar public-private partnership project involving the construction of a highway.
- Represented the co-sureties of a joint venture between two large construction contractors in a payment dispute arising from a \$425 million road construction project, which resulted in the dismissal of the co-sureties from the lawsuit.
- Successfully defended a contractor and its surety in an approximately \$1 million payment dispute arising out of a project for the U.S. Army Corps of Engineers.
- Represented contractors in U.S. Government Accountability Office and local bid protests involving infrastructure projects for public owners, including the U.S. Army Corps of Engineers, the City of Orlando, and Orange County.
- Generally advised contractor clients regarding the public-private partnership procurement process in Florida, including the use of unsolicited proposals.

Professional Experience

Professional Memberships

- Florida Transportation Builders' Association

Honors & Accolades

- *Super Lawyers, Rising Star* (2020)

Publications

- Federal Government Construction Contracts (Third Edition), Competitive Negotiation Chapter, American Bar Association, October 2017

- “Avoiding Post-Award Agreement Violations,” Construction Executive, Associated Builders and Contractors Service Corp., September 2013
- “Construction Law,” USA Chapter, The European Lawyer Reference Series, 2012
- “Contractors Beware: Post-Award Sales Tax Increases May Reduce the Profitability of a Project,” Construction Executive, Associated Builders and Contractors Service Corp., July 2011
- “Current Trends in Public-Private Partnership Laws,” The Construction Lawyer, Vol. 28, No. 3, Summer 2008
- “Avoiding the Costs of Defending Absurd Lawsuits,” Southeast Construction, McGraw-Hill Construction, May 2007

Speaking Engagements

- Damages and Remedies in Construction Disputes, Florida Bar Construction Law Certification Review Course, 2018
- Construction Law: Advanced Issues and Answers, National Business Institute, 2017

Community Involvement

- Mills 50 Mainstreet District, Board of Directors

Practice Areas

- Alternative Dispute Resolution
- Construction Contract Drafting, Procurement & Project Delivery
- Construction Defect Claims
- Construction Delay, Disruption & Acceleration Claims
- Construction Insurance Coverage Disputes
- Construction Lien Preparation & Litigation
- Construction Litigation
- Construction Regulation & Licensing Compliance

- Payment & Performance Bond Claims