HansonBridgett



Alan S. Bishop

Partner

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Areas of Focus

- Construction
- IPD/BIM
- Litigation and Dispute Resolution

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Alan focuses his practice on the construction industry, performing both transactional work and litigation. Clients benefit from his experience as a licensed civil engineer, allowing him to quickly identify and understand key technical issues as well as the legal issues. Alan draws from a variety of alternative delivery models for transactional work, including Integrated Project Delivery and Design-Build, and incorporates collaborative tools like LEAN and BIM. He uses cost effective strategies to litigate cases and has resolved disputes early through dispositive motions, piecemeal settlements, and mediation.

Alan has been involved in advising and representing contractors on competitive bidding for public work projects, bid protests, contract requirements, and the prosecution and defense claims involving added work scope, professional negligence, inefficiency, delay, and wrongful termination. As a civil engineer, Alan worked six years on the design, construction, and inspection of State Water Project facilities for the California Department of Water Resources.

Representative Work

Public Works Infrastructure Arbitration. Assist in public works arbitration representing bridge contractor pursuing differing site conditions and delay claims against owner city, crafting legal arguments that claims were not barred by late notice, developing technical arguments with experts and in-house engineer that evidence from pile-driving for bridge that differing site

conditions were encountered, and preparing demonstrative exhibits. The two month, eight figure arbitration was successful.

Public Works Facilities. Draft requests for qualifications, requests for bids, design services agreements, consulting services agreements, and construction agreements for public owners, including hospitals and sherriff's facilities. Compensation terms varied, including lump sum, time and expense, guaranteed maximum price, and financial incentives for meeting cost goals or key performance indicators.

Healthcare Design/Construction Agreements. Draft project-specific agreements and flexible templates for design and construction services. Draft master templates for sophisticated owners to issue work authorizations to contractors/designers without renegotiating terms for every project. Draft templates with multiple compensation options and scope options, to allow efficient contracting with standard terms. For public healthcare districts, draft requests for qualification and requests for bids to pair with the agreements. Draft Risk-Reward Subcontract to pass-down incentive and penalty provisions from a three-party agreement for hospital design and construction between owner, architect, and contractor, to the first-tier subcontractors.

Biomass Powerplant Arbitration. Prepare project managers for arbitration testimony; select evidence for cross-examination of adverse witnesses; develop claims, defenses and analysis, and write argument and assemble supporting evidence for dozens of contract breaches for closing brief in biomass power plant construction dispute resolved in a 5-week arbitration of an eight-figure dispute.

Geotechnical Engineering Defense. Defend geotechnical engineer from liability for alleged damage to adjacent property from subsidence caused by surcharge loading.

Food Processing Facilities. Draft Design-Build Agreement template with collaborative tools and extensive design development process between the designers and in-house engineering, for use on various food processing construction projects with multiple vendors.

Private University IPD Contracts. Negotiate IPD contract provisions among project teams including the owner, designers, and contractors, for renovating classroom and laboratory spaces.

High-rise Hotel Litigation. Pursued inefficiency and delay claims on behalf of plumbing subcontractor. Worked with project managers and experts to develop claims, and questioned the project designers and owner witnesses in depositions.

Office Campus IPD Contracts. Prepare IPD contract in a master/project authorization format for owner to perform renovations with the same team throughout their campus, authorized one project at a time.

Hospital Delay Claim Litigation. Defend hospital from delay and extra work claims by the contractor and subcontractors.

Collaborative Contracting for Public University. Draft portions of design-build agreement for public university to use collaborative tools and incentives to the extent possible within public contracting limitations.

Contractor Licensing. Research contractor licensing requirements with respect to a licensee comprised of multiple corporate forms, as part of diligence prior to a corporate sale.

Alternative Dispute Resolution. Obtain ruling that arbitration agreement was enforceable and must be litigated near the project, effectively ending claims brought in distant county in a construction payment dispute.

Crime Lab Litigation. Defend engineer from claims by public owner of defects in forensic laboratory design, and resolve through negotiated settlement.

Private Skilled Nursing Facilities. Draft GMP construction agreement template for construction of skilled nursing facilities.

Construction Service Providers. Draft construction equipment rental agreement for manufacturer/distributor of concrete formwork and shoring products.

Defective Residential Design. Obtain court approval of piecemeal settlement to extract geotechnical engineer from homeowner litigation against contractor for allegedly poor subsurface drainage and expansive soil conditions that damaged the home.

Public Owner Litigation. Develop evidence in support of allegations that designer and contractor failed to consider effect of ground settlement on underground utilities for university research laboratory, to support litigation in state court.

Veterans Pro Bono Representation. Pursue pension and medical benefits for low income veterans and their dependents.

Urban Condominiums. Advise contractor during closeout regarding negotiating resolution alleged omissions and construction defects of luxury condominium conversion project. Draft GMP design-build contract for condominium construction. Draft and negotiate access and tie-back agreement with neighbors for construction of apartments infill project. Draft demolition and abatement lump sum agreement make-ready work to satisfy development conditions on urban infill project. Resolve design-build subcontractor payment dispute regarding extra work required by inspector after design approval, and disputed backcharges.

Publications

"California Hospital Seismic Compliance and the Squeeze on Hospital Budgets," co-author, Spring Issue of California Health Law News (April 2026)

"Acute Care Hospital Seismic Compliance Alert," co-author, Construction Legal Alert (September 2024)

"A Bitcoin Primer on Jurisdiction," *Bitcoin Foundation* (August 2014)

Presentations

"Crafting the IFOA Contract to Provide an Optimal Framework for Your Projects," 8th Annual Advancing Integrated Project Delivery Summit (December 2023)

"Optimizing the Legal Framework Supporting Integrated Project Delivery," co-presenter, Advancing Integrated Project Delivery Conference (December 2022)

"Breakouts: Discussing the Trajectory of IPD From Here & How We Can Better Leverage Learnings From Our Failures to Reach Full Potential," co-presenter, Advancing Integrated Project Delivery Conference (December 2022)

Honors & Awards

Witkin Award

Professional Affiliations

Design-Build Institute of America

State Bar of California

Professional Licenses

California Licensed Civil Engineer

Academic Distinctions

Hastings WNW Journal of Environmental Law and Policy, Publications Editor

Education

J.D., *cum laude* UC Law San Francisco (Formerly UC Hastings) (2010)

B.S., University of California, Davis (2001)

Admissions and Courts

California