



DAVID G. LOSEMAN

PARTNER

St. Louis, MO

314.342.4132

dloseman@atllp.com



David Loseman provides guidance to those who develop, construct and design. As chair of the firm's Construction and Design practice, he represents clients in major construction projects throughout the United States and in several foreign endeavors.

In managing construction and design transactions for owners, contractors, subcontractors and design professionals, Dave handles contract negotiations and preparations from project conception through completion. In addition, he advises clients in anticipating, addressing and resolving contract and performance issues that arise during and after construction.

Dave is well-versed in construction and engineering design agreements, utilizing the American Institute of Architects (AIA) industry-standard form contracts, ConsensusDOCS and other standard form industry contracts, and developing custom contracts as appropriate. For projects moderate in size through those priced in the hundreds of millions of dollars, he regularly drafts and reviews contracts related to all facets of construction, engineering and design.

Routinely, Dave prepares contract templates for use by clients in their day-to-day businesses. He also prepares standard forms of change orders, environmental and safety guidelines and purchase order terms and conditions.

Dave has substantial experience defending and prosecuting mechanic's lien claims. He also represents clients in the mediation, arbitration and litigation of payment and other disputes arising within the context of a construction project.

EDUCATION

- University of Illinois College of Law at Urbana-Champaign (J.D., *cum laude*, 1985)
 - University of Illinois Law Review (Member, 1984-1985)
- University of Illinois at Urbana-Champaign (B.A., 1982)
 - Delta Theta Phi

PROFESSIONAL ACTIVITIES

- The Missouri Bar (Member, Construction Law Committee)
- Illinois State Bar Association

SERVICES AND INDUSTRIES

Real Estate

Real Estate, Development,
Construction

Construction Services

Energy and Utilities

ADMISSIONS

Missouri

Illinois

Colorado

U.S. District Court, Central
District of Illinois

U.S. District Court, Eastern
District of Missouri

U.S. Court of Federal Claims

ACCOLADES

- The Best Lawyers in America[®]; Construction Law (2003-present)
- Missouri/Kansas Super Lawyers[®] / Super Lawyers[®] Business Edition (2009-2011)
- AV[®] Peer Review Rated, *Martindale-Hubbell*
- Missouri Lawyers Weekly Power List, Construction Law (2023)

BACKGROUND

Dave served as law clerk to Justice Ben K. Miller of the Illinois Supreme Court from 1985 through 1987.

EXPERIENCE

\$1.8 Billion Missouri Chapter 100 Financing for Aerospace Client

Represented an aerospace client in a \$1.8 billion Missouri Chapter 100 financing to fund the construction of approximately 1 million square feet of assembly, hangar and operations space. The project, which is expected to create 500 new jobs, had tremendous support from the community with approximately 160 corporate leaders, small business owners, educational institutions and nonprofit groups voicing their support.

Property Acquisition, Construction Contracts, Public Incentives for 1 Million-Square-Foot Development

Represented a health care client in acquisition of property for a multi-building campus development in excess of 1 million square feet. Negotiated design and construction contracts for the project, as well as a public incentive package valued at more than \$450 million.

Contract Negotiations for Architectural Firm

Represented a global architectural and design firm in contract negotiations as part of a multi-year renovation of a national thoroughbred horse racing park. The client requested several contract revisions subsequent to the bidding process, which were successfully negotiated.

Construction Contracts for \$10 Million Missouri High School

Represented a large general contractor in the preparation and negotiation of all construction contracts and disbursing documents related to the construction of a high school in Missouri.

Construction Contracts for Pool Company in \$3.5 Million Residential Installation

Represented a pool installation company with respect to the preparation and negotiation of construction contracts for pools and outdoor water features exceeding \$3.5 million at a residential property in Missouri.

Construction Contracts for Pool Company in Significant Apartment Development

Represented a pool installation company with respect to the preparation and negotiation of construction contracts for pools and outdoor water features for an apartment complex in a major metropolitan development.

Construction Contracts for Specialty Subcontractor in Retail Store Development

Handled the preparation and negotiation of construction contracts for a specialty subcontractor working for a sporting apparel retailer in Illinois, valued at half a million dollars.

Contract Negotiations for Multimillion-Dollar Hospital Development

Represented a large general contractor in the preparation and negotiation of AIA contract documents for a multimillion-dollar hospital development in Illinois.

Design and Construction Contracts for National Theme Park Owner

Handled all design and construction contracts for a national theme park owner for all construction projects, including various attractions and water features exceeding \$10 million in value.

Managed Construction Defects Dispute for Assisted Living Center

Represented a large general contractor in a dispute with the owner and multiple levels of subcontractors concerning subcontractor construction defects in an assisted living center in Georgia.

Managed Dispute for General Contractor in Multimillion-Dollar State Project

Represented a general contractor in a multimillion-dollar dispute with a subcontractor and materials supplier concerning a project for the state of Illinois.

Represented General Contractor in \$5 Million Multi-Party Litigation

Represented a large general contractor in ongoing multi-party litigation involving construction defects exceeding \$5 million.

Represented Property Owner in \$25 Million Development of Manufacturing Facility

Represented property owners in the preparation and negotiation of construction and architectural agreements for a specialty manufacturing facility exceeding \$25 million.

Represented Property Owner in \$350 Million Development

Represented property owners in the preparation and negotiation of all construction and architectural agreements for a project exceeding \$350 million, and counseled property owners concerning contractor delay and performance issues throughout the project.

Represented Property Owner in \$80 Million Development in California

Represented property owners in the preparation and negotiation of design and construction contracts for a building in California exceeding \$80 million.

\$200 Million Construction Financing

Closed \$200 million in construction financing for construction of a health care client's headquarters expansion. Also helped the client secure various state and local tax incentives, including the issuance of \$715 million in Chapter 100 bonds for the project.