



Philip E. Beck

Partner

PHILIP E. BECK is a partner in the Atlanta, Georgia office of Smith, Currie & Hancock LLP. His practice focuses on construction law, government contracts, and commercial litigation. He joined Smith, Currie & Hancock in 1981 upon graduating 4th in his class from the University of Tennessee College of Law and completing a judicial clerkship with the Tennessee Court of Appeals.

Phil is experienced with a broad range of construction issues, problems, and disputes. His experience includes representing clients on a wide range of public and private construction projects throughout the United States and abroad. He has drafted and reviewed thousands of design and construction contracts on behalf of owner, developer, general contractor, subcontractor, supplier, architect/engineer, consultant, surety, design/builder, and construction manager clients. Phil is also an experienced arbitrator and mediator of construction claims and disputes.

Phil has successfully tried construction cases before a variety of forums, including many state and federal courts, several federal Boards of Contract Appeals, and numerous state and local administrative bodies. He has represented clients in more than a hundred arbitrations and mediations throughout the United States.

Phil also holds a Master of Business Administration degree (with a concentration in Finance) from the University of Tennessee, where he earned his undergraduate degree (with high honors) as well. He is a member of the legal honorary society Order of the Coif, the business honorary fraternity Beta Gamma Sigma, and the service honorary fraternity Omicron Delta Kappa.

Phil is a member of the Georgia, Florida, and Tennessee Bars and the Bars of various state and federal courts.

Phil is a past Chair of the Associated General Contractors of America, Inc. (AGC)'s Service and Supply Council and a past member of AGC's Executive Board. He currently serves as Chair of AGC's Contract Documents Forum and a member of AGC's Board of Directors. Phil is also Chair of the ConsensusDOCS Content Advisory Council, and is active in a number of other construction trade associations and construction-related organizations.

Phil has written and lectured extensively on various topics related to the construction industry and construction law, and has been a featured speaker on numerous programs sponsored by various educational institutions and construction trade associations. He is a former Adjunct Professor of Construction Law at Southern Polytechnic State University.

Phil's published works include chapters on construction contracts and construction

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Practice Areas

- Commercial Litigation
- Construction Law
- Government Contracts

Bar & Court Admissions

Tennessee, 1981

Georgia, 1982

Florida, 1995

Clerkships

Law Clerk for Hon. Houston
Goddard, Tennessee Court of
Appeals, 1980 - 1981

Other Experience

- New Pharmaceutical Research & Manufacturing Facility (SC)
- Numerous Hotels, Casinos, & Resorts (New, Renovations & Expansions)
- Indian Gaming Projects (New & Expansions)
- Airport Terminal, Runway, & Security Projects
- Interstate Highway, Bridge, & Interchange Projects in GA, FL, TN, NC, SC, PA, and WV
- Hospitals & Research Laboratories
- Schools & Universities
- Courthouses & Governmental Buildings
- Military Facilities



litigation in over a dozen books and numerous articles for various construction trade publications. He has been ranked as a "Georgia Super Lawyer" by the publications *Law & Politics* and *Atlanta Magazine* each year of the ranking's existence. He is also listed annually by *Chambers USA* in its listing of "America's Leading Lawyers for Business" and in the publications *The Best Lawyers in America* and *The International Who's Who of Construction Lawyers*. He has received *Martindale Hubbell's* highest peer rating for both legal ability and ethical standards (the AV Preeminent Rating) for more than 30 consecutive years.

Phil was born in Salisbury, North Carolina, and was reared primarily in Chattanooga, Tennessee. He has two children and is a sports enthusiast.

Experience

- University Student Housing Project in Georgia
Currently representing a public university on claims it has against the design-builder for construction defects.
- Pharmaceutical Research & Manufacturing Facility in South Carolina
One of the lead trial counsel on a trial team which obtained a \$25 million-plus judgment for the owner against its design professional.
- Interstate Reconstruction Project in Georgia
A member of the claims team that obtained a \$25 million settlement on behalf of a general contractor on a federally-funded DOT project.
- Airport Construction Projects in Tennessee
Represented the Metropolitan Knoxville Airport Authority in successfully defending a multi-million dollar differing site condition claim arising out of a runway construction project, as well as separate smaller claims arising out of a security contract and a terminal renovation project.
- Major Highway Construction Projects in North Carolina and Tennessee
Currently representing the design-builder on two major highway projects (in North Carolina and in Tennessee) with respect to the default of a major subcontractor and other issues.
- Highway Construction Projects in Tennessee, South Carolina, North Carolina, Florida, Georgia, Pennsylvania and West Virginia
Represented general contractors and design-builders in successfully pursuing and defending multiple claims for extra work and project delays.
- Atlanta Hartsfield-Jackson International Airport Runway Improvements
Defended paving contractor against claims asserted by a sub-subcontractor.
- Casino / Hotel Projects
Represented owners in drafting and negotiating design, construction and consulting contracts for numerous casino and hotel projects in Las Vegas,

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- Office Buildings
- Churches
- Golf Courses & Clubhouses
- Major Theme Parks (including EPCOT & Universal Studios-Florida)
- Various Industrial & Manufacturing Facilities
- Power Plants
- Water & Wastewater Facilities
- Condominiums & Apartments
- Subdivisions & High-end Custom Residences
- Shopping Centers & Retail Space
- Restaurants
- Landfills & Environmental Sites
- Mining
- Recreational Facilities
- Ballparks & Arenas
- Landscaping & Streetscape Projects
- Parking Garages
- Projects at Cape Canaveral/Cape Kennedy

Education

University of Tennessee, B.S., 1978

- High Honors
- Phi Kappa Phi
- Omicron Delta Kappa
- Beta Gamma Sigma

University of Tennessee, M.B.A., 1981

University of Tennessee College of Law, J.D., 1981

- Order of the Coif

- California, Missouri, Michigan, North Carolina and other states.
- Animal Research Laboratory in North Carolina
Represented construction manager with regard to delay and extra work claims by various trade contractors against the owner.
- Water Intrusion Claim at Fine Dining Restaurant in Atlanta, Georgia
Represented the owner of a fine dining restaurant in recovery of business damages arising from the pre-opening flooding of the restaurant due to the failure of an HVAC unit.
- Single Family Home in Florida
Obtained a multi-million dollar verdict on behalf of the homeowners based on claims against the design-builder for poor workmanship and overbillings.
- Moody Air Force Base Privatized Military Housing Project
Represented numerous subcontractors and suppliers in obtaining payment for labor and materials provided to the general contractor for the construction of a multi-million dollar privatized military housing project to support Moody Air Force Base in Valdosta, Georgia.
- Methanol Plant in Trinidad
Successfully defended the owner of a methanol plant against claims by the EPC contractor.

Articles & Publications

- "The Owner Contemplating Litigation and Its Alternatives," *Construction Litigation: Representing the Owner, 1st and 2nd editions*, John Wiley & Sons, 1984 & 1990
- "The Contractor Contemplating Litigation and Its Alternatives," *Construction Litigation: Representing the Contractor, 1st and 2nd editions*, John Wiley & Sons, 1986 & 1992
- "Construction Contracts," Commercial Real Estate Transactions Handbook, 1st, 2nd, 3rd and 4th editions, John Wiley & Sons, 1988, 1993, 2000 and 2009
- Numerous other articles and publications

Appearances

- June 9, 2014 - Avoiding Legal Claims and Disputes - Atlanta, GA
- May 14, 2014 - Bootcamp: Lien Waivers - Atlanta, GA
- April 30, 2014 - BIM 3 Course - Atlanta, GA
- March 5, 2014 - Panel Discussion at AGC National Convention - Las Vegas, NV
- February 4, 2014 - AGC Surety & Risk Management Conference - Naples, FL
- December 6, 2013 - BIM 3 Course for AGC Georgia
- November 6, 2013 - Webinar for AGC of America
- November 5, 2013 - BIM 3 Course

- Moot Court Board
- Graduated 4th in Class



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- June 19, 2013 - BIM 3 Contract Negotiation And Risks, Atlanta, GA
- May 8, 2013 - ConsensusDocs Webinar
- May 2, 2013 - Presentation to CFMA on Contractual Risk Allocation, Atlanta, GA
- April 8, 2013 - AGC Project Manager Course (Legal Issues), Charlotte, NC
- March 6 & 8, 2013 - Two Panel Presentations at AGC National Convention, Palm Springs, CA
- February 21-22, 2013 - SCH Construction Law Update Conference 2013, Atlanta, GA
- February 4, 2013 - Presentation to the Construction Specifications Institute, Atlanta, GA
- January 22, 2013 - 1st Annual Real Estate Development & Construction Law Seminar, Atlanta, GA
- January 3, 2013 - Construction Specifications Institute ConsensusDocs Presentation, Windsor, CA
- December 12, 2012 - ConsensusDocs Program at 2012 Construction SuperConference, San Francisco, CA

Classes & Seminars Taught

More than a hundred seminars, presentations, workshops, and lectures throughout the United States on a variety of topics relating to construction law, construction litigation, the construction process, and avoiding and resolving construction claims and disputes, including programs sponsored by various construction trade associations (e.g., AGC of America, NECA, NSPE, AGC Georgia, Carolinas AGC, Alabama AGC, AGC of East Tennessee, ABC of Georgia, ABC of Alabama, GUCA, MCA of Georgia, AECA, CFMA-Atlanta and CSI); universities (e.g., The Georgia Institute of Technology, The Georgia Tech Research Institute, The University of Tennessee Transportation Center, The University of Tennessee College of Law, Stetson University College of Law, Southern Polytechnic State University); Bar Associations (e.g., American Bar Association, Atlanta Bar Association, Arizona Bar Association); private seminar providers (e.g., National Business Institute; Lorman; Sterling; The Seminar Group and CLE, Inc.); AICPA and others (e.g., Leadership Atlanta).