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Schenck, Price, Smith & King LLP Partner Quoted In Leading Construction And Building Industry Publication

~ Thomas J. Cotton in Construction Dive Article ~

Florham Park, NJ - Thomas J. Cotton, Partner at Schenck, Price, Smith & King LLP was quoted in a *Construction Dive* article, '**How GCs can cope with problem subs,**' where he discussed strategies for general contractors to manage challenges with subcontractors who may underperform or cause project disruptions.

Cotton emphasized the importance of proactive measures, including thorough pre qualification processes, clear contractual agreements, and effective communication to mitigate risks and ensure project success. Cotton highlighted that a prime contractor should understand there are no "magic words" that guarantee complete protection from problematic subcontractors. However, including certain provisions can offer meaningful safeguards.

Additionally, Cotton pointed to flow-down clauses, which bind a subcontractor to the terms of the prime contract. Cotton noted that the purpose is to guard against any gaps between what the general contractor and subs agree to do. When a gap appears, consequences should be spelled out clearly, including booting the sub from the job. He stated, "[t]here should also be strong and express remedies for non-performance. The agreement should, among other things, expressly empower the general contractor to terminate the subcontractor, with the maximum discretion to the general contractor, and further allow the general contractor to hire a replacement at the subcontractor's expense."

John E. Ursin, Managing Partner, stated that it was good to see Tom recognized and quoted in an important publication. Ursin noted, “Tom is very accomplished for a young Partner and provides exceptional service and insight to his clients.”

To read the article in its entirety, please click here: <https://bit.ly/4kHPxpP>

For more information on the firm, please contact Deborah Cmielewski, Esq., Partner; Chair, Marketing and Business Development Committee at dac@spsk.com or 973-540-7327.

ABOUT THOMAS J. COTTON:

Thomas J. Cotton is a commercial litigator. He practices exclusively in the realm of human conflict, representing businesses and individuals in high-stakes litigations. Whether the anticipated lawsuit is expedited or protracted, whether the dispute is plagued with personal grudges or “strictly business,” Tom works nonstop with his clients to satisfy their goals. Tom represents clients in industries that include construction, real estate, marketing, insurance and entertainment. He guides those clients through every imaginable dispute, including preliminary injunctions, class actions, government enforcement, fraud claims, whistleblower allegations, malpractice lawsuits and bankruptcy.

Tom is a recognized authority on cutting-edge litigation techniques within state-of-the-art industries. He authors articles and leads conferences on utilizing cost-efficient methods to effectively litigate commercial disputes. Tom regularly puts his skill set at the service of his clients, dedicating himself absolutely to each stage of every representation: from preliminary investigation and discovery, to final judgment and appeal. Tom works side-by-side with his clients to craft innovative, bespoke solutions that can be implemented in any setting—from courtrooms to boardrooms, from construction sites to websites.

Tom has been included on the “Rising Stars” list, published by Thomson Reuters, in business litigation since 2016— receiving this distinction after just one calendar year of practice.

ABOUT SCHENCK, PRICE, SMITH & KING:

Schenck, Price, Smith & King is a full-service law firm with offices in Northern New Jersey and Manhattan, serving closely held, growing companies. For 112 years, Schenck Price has represented commercial businesses, individuals, public institutions and charitable organizations with excellence and integrity. We are proud that, in addition to their expertise and experience as legal practitioners, our attorneys have served in positions of leadership in public institutions, as well as community and charitable organizations.

Founded in 1912 as a two-person law firm in Morristown, Schenck Price has entered its second century of service as a firm of 80+ attorneys, serving virtually all legal needs of businesses and individuals. Our Firm's long history of legal excellence in the areas of health care, education, construction, trust and estate planning, corporate law, real estate, insurance defense, banking and commercial litigation, has expanded as the Firm has grown. Our areas of practice also include telecommunications, technology, environmental law, corporate governance, labor and employment law, and family law. Many of our attorneys have been recognized as leaders in their respective practice areas.