



Scott D. Cahalan

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Areas of Practice

Construction Dispute Resolution | Sustainability Practice | Health Care | Construction Project Counseling | Construction Contract Drafting | Government Procurement | Manufacturing

Mr. Cahalan has substantial experience representing owners, developers, contractors, and others in the construction industry. His practice primarily consists of drafting and negotiating construction contracts, providing advice during the construction process and dispute resolution.

Mr. Cahalan has authored a number of publications, including the following: "Beyond the Wall: *A Contractor's Right of Recovery for Acts of Government Depends on Public Private and Contractual Concerns*" *Trust the Leaders* 2, Vol. 5 (2021); "March is Just Around the Corner: Move the Clocks Forward and Change Your Lien Forms," *Trust the Leaders*, Issue 23 (Spring 2009); "Building Information Modeling: What's Ahead for Contractors," *Trust The Leaders*, Issue 21 (Spring 2008); "Lien Law: Use It Or Lose It," *Trust The Leaders*, Issue 11 (Spring 2005); "Move Over AIA – There's a New Standard Form Construction Contract for Owners and Developers," *Trust The Leaders*, Issue 2 (Winter 2002); "An Owner's Guide to Time Related Claims," *Construction Business Review*, Volume 9, Number 1 (2001); "Owner's Perspective – Allocating Contract Administration Duties and Responsibilities Between Construction Managers and Architects," *Construction Business Review*, Volume 8, Number 3 (2000).

Mr. Cahalan was the primary drafter of the Associated Owners and Developers' AOD 2002 – Standard Form of Agreement Between Owner and Contractor Where the Price Is Fixed or Lump Sum, and the Associated Owners and Developers' AOD 2003 – Standard Form of Agreement Between Owner and Contractor for Work on a Cost Plus Fee Basis with a Guaranteed Maximum Price.

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He has also given numerous webinars and seminars throughout the United States and Europe concerning construction contracts, preference statutes, implied contract obligations, differing site conditions, force majeure clauses, pay if paid clauses, construction management agency, implied contract obligations, claims, green building, construction insurance, and mechanics lien law.

Since 2010, Mr. Cahalan has been an instructor at the Georgia Institute of Technology where he teaches Design and Construction Law, and Real Estate Development Law to graduate students. Mr. Cahalan also taught Trial Techniques to law students at Emory University between 2009-2011.

Before law school, Mr. Cahalan was an engineer at Green Construction, Inc., a general contractor that specialized in heavy, highway and industrial construction projects throughout the United States. He has experience in estimating, scheduling, cost accounting, and project management.

Mr. Cahalan received his B.S. degree in Construction Engineering from Iowa State University in 1984. In 1994, he received his J.D. degree, cum laude, from the University of Georgia. While in law school, Mr. Cahalan served as a summer law clerk to The Honorable Julie E. Carnes, Judge for the United States District Court for the Northern District of Georgia, Atlanta Division (retired, Judge for the United States Court of Appeals for the Eleventh Circuit).

Mr. Cahalan is a member of the State Bar of Georgia, the United States District Court for the Northern District of Georgia and the United States Court of Appeals for the Eleventh Circuit. He is also a member of the Construction Forum of the American Bar Association.

Admissions

Georgia

U.S. District Court Northern District of Georgia

U.S. District Court of Appeals, Eleventh Circuit

Recognitions

The Best Lawyers in America©, Construction Law; Litigation – Construction (2021-2023)

Georgia Super Lawyers, Construction Litigation (2009-2010)

Chambers USA: Leading Business Lawyers, Construction, Georgia (2007-2013, 2019-2022)

Lorman 2017 Platinum Distinguished Faculty

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Memberships

American Bar Association – Construction Forum

American Institute of Architects

Georgia Utility Contractor’s Association