

Gregory K. Smith

Partner | Atlanta

Gregory (Greg) K. Smith is a Partner in the Construction Practice at Smith, Gambrell & Russell, LLP.

Mr. Smith practices in all areas of construction law, contract law, and government procurement. His practice consists of dispute resolution and litigation, counseling in contracting issues, counseling in government procurement, and the drafting, structuring and review of construction and other contracts. Mr. Smith advises businesses in a wide range of legal, compliance, and strategic issues. Being trained in transactions and disputes, he understands the complex interplay and consequences of decisions faced by businesses.

Mr. Smith has written and edited many presentations and papers related to dispute resolution, construction contracting, government procurement, and construction fraud. He is a frequent speaker at seminars related to the construction industry. Since 2015, Mr. Smith has been recognized by Georgia Trend as one of Georgia's "Legal Elite." The Legal Elite is a list of Georgia's top attorneys, nominated and chosen by their peers.

Mr. Smith is a founding member and vice chair of the State Bar of Georgia's Construction Law Section. He serves on the steering committee for the International Construction Division of the American Bar Association Forum on Construction Law. He is also the Southeast Regional Director for the Society of Construction of Law North America.

Mr. Smith graduated, magna cum laude, from Georgia State University with a bachelor's degree in Political Science. He graduated with a J.D., cum laude, from the Walter F. George School of Law at Mercer University. While at Mercer, Mr. Smith served as the Editor in Chief of the Mercer Law Review. He is a member of the State Bar of Georgia and the American Bar Association.

Prior to practicing law, Mr. Smith served in the United States Navy.

Representative Experience:

- Represented Latvian owner of a fiberglass manufacturing facility in claims against its general contractor for defects, delay, and other related claims.
- Advised international infrastructure contractor regarding performance, management, and completion issues with government-funded projects



Contact Information

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Areas of Practice

Construction Law & Litigation

Manufacturing

Litigation/Trial Practice

Construction Project Counseling

Construction Contract Drafting

Government Procurement

Global Supply Chains and

Onshoring

Admissions

Georgia

Memberships

American Bar Association

State Bar of Georgia

Society of Construction Law

- in the Untied States.
- Represented a Dutch EPC contractor in a LCIA arbitration, arising out of a force majeure dispute related to an oil refinery in Kurdistan.
 - Advised national senior living developer, manager, and owner regarding real estate and construction issues.
 - Represented a Colombian coal mine owner with claims related to delay, warranty issues, and liquidated damages in an ICC arbitration with a German materials supplier.
 - Advised Japanese manufacturer with negotiations for construction of international manufacturing plants.
 - Represented German manufacturer with warranty, delay, defect, and cost claims against its contractor related to design and construction of manufacturing facility.
 - Represented mechanical subcontractor in delay and defect claims in harbor expansion project.
 - Advised family-owned business on becoming designated as a minority business enterprise.
 - Represented international financial institution in arbitrations related to financial services
 - Drafted design agreements, construction agreements, and other service contracts for construction projects in diverse industries and projects valued from \$25,000 to over \$1 billion.
 - Represented a joint venture of Dutch and Saudi Arabian energy companies in a CPR arbitration with an EPC contractor regarding the massive expansion of an oil refinery.
 - Represented a German transportation company in a successful bid protest involving a U.S. Department of Defense contract.
 - counseled many clients, in diverse businesses, on government procurement issues, including federal procurements under non-competitive bid regulations, disputes with government agencies, negotiations with the government entities over contract terms and other issues, claims relating to unpaid contract amounts, delay and disruption issues, SBA regulations, MBE/WBE and related minority contracting, and contract change issues.
 - Represented Dutch energy company in negotiations for contract amendments with German equipment supplier on Brazilian energy project.
 - Represented global supplier of cellulose specialties products in a dispute with international design-build contractor related to a cellulose specialties plant conversion.
 - Represented a Fortune 50 company in litigation in London, England with an international EPCM contractor arising out of construction and process defects in a state of the art soft drink concentrate manufacturing facility in Europe.
 - Represented of a large school district pursuing claims of breach of contract, breach of fiduciary duty, fraud, and State RICO violations against a program management firm hired to manage the district's \$1 billion construction program.
 - Represented a global mining company in a multi-million dollar dispute arising out of the engineering and construction of a \$1 billion copper mining facility located in the Andes Mountains of Chile.
 - Represented a multi-national provider of identification systems in
- Recognitions**
- The Best Lawyers in America©, Litigation - Construction, (2021)
- Georgia Super Lawyers, Construction Litigation, (2014-2021)
- Georgia Trend's Legal Elite, (2015-2020)
- Rising Star, Construction Litigation, (2010)
- Construction Lawyers Society of America, Charter Fellow

- defense of government bid protest.
- Counseled an international aircraft manufacturer regarding sales of aircraft to United States Department of Defense.
- Represented a global firearms manufacturer in a protest with governmental entities.

Speeches and Publications

- *A Legal Perspective of Construction Fraud*, Construction Audit & Cost Control Institute Best Practices Workshop, Scottsdale, Arizona (June 2021)
- *Viewpoint: Court ruling opens door to construction litigation*, Atlanta Business Chronicle, https://www.bizjournals.com/atlanta/news/2019/12/13/viewpoint-court-ruling-opens-door-to-construction.html?iana=hpmvp_atl_news_headline (December 13, 2019)
- *“Legal” Fraud*, Construction Audit & Cost Control Institute Best Practices Roundtable, Las Vegas, Nevada (November 2019)
- Toward an Understanding of Willful Misconduct in International Construction Contract, *The Construction Lawyer (Journal of ABA Forum on Construction Law)*, Vol. 39, No. 2 (May 2019)
- Issues and Solutions in International Construction Contracting, *The American Journal of Construction Arbitration & ADR*, Vol. 2, No. 1 (2018)
- Substantial Completion – A Contractor’s Perspective, *UNDERGROUND CONNECTION*, April 2018, at 14.
- *Nuances of Fraud – A Legal Perspective*, Construction Audit & Cost Control Institute Best Practices Workshop, Dallas, Texas (November 2017)
- Issues and Solutions in International Construction Contracting, *The Construction Lawyer*, Volume 36, Number 4 (Fall 2016)
- *Fundamentals of Construction Law - Learning from the Pros*, moderator, ABA Forum on the Construction Law, Atlanta, Georgia (November 2016)
- *Managing Risks on Energy Projects: Here and Away*, moderator, ABA Forum on the Construction Law fall meeting, Chicago, Illinois (October 2016)
- *Construction in Argentina and LatAm: Making the Deal Happen, The Time Has Come: Investing in Argentina’s Infrastructure and Energy Sectors*, Buenos Aires, Argentina (June 2016)
- *Protection Through Project Documents, Lawyer Roundtable: Practical Answers to Common Legal Problems*, Georgia Construction Finance Conference, Atlanta, Georgia (May 2016)
- *What Does Fraud Look Like in a Construction Project?* National Association of Construction Auditors, Orlando, Florida (March 2016)
- Construction Audit & Cost Control Best Practices Roundtable Workshop, Construction Audit and Cost Control Institute, Las Vegas, Nevada (December 2014)
- Contributing author, *The Annotated Construction Law Glossary, American Bar Association Forum on the Construction Industry* (2010)