

In The News

# Proactive Contract Strategies Help Mitigate Construction Risks Amid Ongoing Tariff Pressures

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Construction Co-Chairs Stacy Bercun Bohm and John Neary, as well as Real Estate Partner Daniel Miktus and Associate Katrina Flores, co-authored an article for *Construction Business Owner* magazine, educating contractors on how to optimize construction contracts to combat tariff-related price escalation.

While tariffs implemented during the Trump administration – particularly on steel and aluminum – have added cost volatility to construction projects, the article emphasizes that developers and owners can manage these challenges with well-drafted contracts and strategic planning. Instead of viewing tariffs as insurmountable obstacles, the authors encourage stakeholders to adopt proactive measures, including specific clauses that address price escalation, especially where the basis of payment is the cost of the work with a fee, along with other early procurement strategies. These tools help allocate risks fairly, preserve budget certainty, and limit project delays.

As the authors note, “Construction agreements offer owners the opportunity to be proactive instead of reactive to market trends.” With a balanced and thoughtful approach, stakeholders can navigate tariff-related disruptions while continuing to deliver successful projects.

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