



## MICHAEL J. KURZMAN

PARTNER

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Michael J. Kurzman, a Florida Bar Board Certified Specialist in Construction Law, represents municipalities, institutions of higher learning, developers, owners, contractors, sureties, subcontractors and suppliers in all aspects of construction law related issues. In particular, he drafts bid documents and represents parties in bid disputes. Michael also drafts and negotiates owner/architect agreements, owner/general contractor agreements, contractor qualifier agreements, contractor/subcontractor agreements, payment bonds, and performance bonds, to name a few. For his municipal or public sector clients, Michael's work has included roads, bridges, landfills, schools, libraries, dormitories, city halls, parks, amphitheaters, sports and recreation facilities, utility plants, water and sewer systems, solid waste systems, drainage systems, and other similar infrastructure projects. For his non-public clients, the projects that he has worked on include high-end custom homes, renovations, airports, condominiums, apartment complexes, apartment buildings, community centers, golf courses, hotels, resorts, casinos, shopping centers, restaurants, retail stores and commercial projects.

Once construction work is underway, Michael assists his clients with construction project administration issues, addressing design and construction defect issues, latent defect issues, building code

## PRACTICE AREAS

- [Hospitality](#)
- [Public/Private Partnership \(P3\) Transactions](#)
- [Construction Contract Drafting and Negotiation](#)
- [Construction Claims and Defense](#)

## ADMISSIONS

Florida, 1989

violations, project delay claims, warranty claims, Florida Statute Chapter 558 construction defect claims, acceleration claims, construction insurance claims, condominium turnover claims, change order disputes, contract performance issues, contract termination issues, payment disputes, fraudulent lien claims, breach of contract claims, and payment and performance bond claims. If resolution is not possible, Michael represents his clients in any subsequent mediations and dispute resolution proceedings including arbitrations, trials and appeals. In his more than 30 years of practicing construction law, Michael has successfully arbitrated and litigated complex construction claims and appeals in state and federal courts.

Michael and his family have a long history in the construction and development industry. Both of his parents are Florida licensed general contractors since the 1970s and Michael grew up working on construction projects. This firsthand experience contributes to his deep understanding of the industry.

Michael routinely lectures before various professional groups and writes on construction-related matters.

## PROFESSIONAL & COMMUNITY INVOLVEMENT

- The Florida Bar Construction Law Certification Committee, 2018-2020
- American Bar Association
- Dade County Bar Association, Construction Law Committee
- Associated Builders and Contractors
- Associated General Contractors, South Florida Chapter

## AWARDS & RECOGNITION

- South Florida Legal Guide, Top Lawyer, 2020
- Florida Super Lawyers, Construction Law, 2007-2013, 2016-2019
- *Best Lawyers in America*®, Construction Law, 2018-present
- The Miami Herald, South Florida's Top Lawyers, 2010
- Florida Trend's Legal Elite, Construction Litigation, 2008
- AV Rated, Martindale-Hubbell
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### Press Mentions

- [Doral DoubleTree owner sues architect for \\$4M, alleging design errors](#), The Real Deal, October 7, 2020
- [Newly Filed Miami Bridge Collapse Suit Won't Be The Last](#), Law360, March 30, 2018
- [See You in Court](#), The Real Deal, March 14, 2017

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U.S. District Court for the Southern District of Florida, 1992

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U.S. Court of Appeals for the 11th Circuit, 2005

## EDUCATION

University of Miami School of Law, J.D. *cum laude*, 1989

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University of Florida, B.A., 1986

## CERTIFICATIONS

Board Certified by The Florida Bar in Construction Law

- [Work resumes at Hyde, but not Echo Brickell, as investigations into fatal accidents continue](#), The Real Deal, October 27, 2016
- [Know Your Lien Rights](#), Construction Today, July 15, 2016
- [Swinging Jibs: Trespass on Neighboring Air Space?](#) Aventura News, July 4, 2016
- [Crossing the Airspace Line](#), Construction Today, April 14, 2016

## Presentations

- *Advanced Construction Law in Florida*, NBI Seminar, April 20, 2004
- *Construction Delay Claims in Florida*, Lorman Seminar, April 28, 2004
- *The Fundamentals of Construction Contracts in Florida*, Lorman Seminar, May 20, 2004
- *Selected Issues Involving The AIA Documents – How They Affect Rights of Owners, Contractors, Design Professionals And Subcontractors*, Lorman Seminar, October 14, 2004
- *The Fundamentals Of Construction Contracts: Understanding The Issues In Florida*, Lorman Seminar, October 19, 2004
- *Advanced Construction Law in Florida - Project Delivery Methods; Extras and Changes*, NBI Seminar, 2005
- *Advanced Construction Law in Florida*, Lorman Seminar, March 29, 2005
- *Construction Delay Claims in Florida*, Lorman Seminar, April 28, 2005
- *The Fundamentals of Construction Contracts In Florida: Understanding The Issues, Standard Contract Forms and How They Differ; Comparing Contract Forms Available and How They Differ; Review of Basic Contract Principles; Comparing Contracts For Different Project Delivery Systems*, Lorman Seminar, May 18, 2005
- *Change Orders*, Lorman Seminar, June 23, 2005
- *Florida Construction Lien Law*, Lorman Seminar, August 17, 2005
- *Selected Issues Involving The AIA Documents; How They Affect Rights of Owners, Contractors, Design Professionals and Subcontractors, "Claims and Disputes; Updates or Changes to AIA Documents,"* Lorman Seminar, October 4, 2005
- *Construction Law From Contract to Closeout in Florida, "Bonds and Insurance Provisions; Mechanics' Liens,"* Lorman Seminar, January 6, 2006
- *Construction Delay Claims in Florida, "Bonds and Insurance Provisions; Mechanics' Liens,"* Lorman Seminar, April 6, 2006
- *Change Orders in Florida*, Lorman Seminar, June 1, 2006
- *Construction Law From Contract to Closeout in Florida, "Bonds and Insurance; Liens"* Lorman Seminar, January 12, 2007
- *AIA Contracts, "Claims and Disputes in AIA Document A201,"* Lorman Seminar, March 7, 2007
- *Resolving Problems and Disputes on Construction Projects, "Taking Action when You Have a Defective Bid; Handling Changes to Job Site Conditions,"* NBI Seminar, August 7, 2007
- *Architect/Engineer Liability and Practice in Florida, "Theories of Liability and Defense,"* Lorman Seminar, August 22, 2007
- *Construction Insurance, Bonding and Liens, "Risk Allocation and Dispute Minimization on Complex Construction Projects,"* Lorman Seminar, November 29, 2007
- *Everything a Construction Player Should Know About Insurance, "OCIP/CCIP and Wrap-Up Issues Part I: Program Design and Enrollment Concerns; OCIP/CCIP And Wrap-Up Issues Part II: Claim Handling Coverage and Defense Concerns,"* Lorman Seminar, December 4, 2007
- *Everything A Construction Player Should Know about Insurance*, Lorman Seminar, December 14, 2007
- *Construction Law From Contract to Closeout in Florida, "Bonds and Insurance Provisions; Construction Liens,"* Lorman Seminar, January 15, 2008
- *AIA Contracts, "Architects Responsibilities; Claims and Disputes Under the AIA Documents,"* Lorman Seminar, March 7, 2008
- *Construction Delay Claims, "Performing Party Delay Damages; Calculation of Owner Delay Damages,"*

Lorman Seminar, May 6, 2008

- *Waiver of Right to Change Orders; Compensatory and Non-Compensatory Change Orders*, Lorman Seminar, July 23, 2008
- *Everything a Construction Player Should Know About Insurance, "OCIP, CCIP & Wrap-Up Insurance: Issues and Concerns; Interpreting the Insurance Policy and Application for Insurance; Indemnity,"* Lorman Seminar, December 4, 2008
- *The Fundamentals of Construction Contracts: Understanding the Issues, "Bonds and Insurance Provisions; The Florida Construction Lien Law,"* Lorman Seminar, January 14, 2009 & July 13, 2010
- *The Plaintiff's Perspective-Early Approaches to Resolving Cases*, MC Conferences, June 8, 2012
- *Mediation-How Not to Mediate a Claim*, MC Conferences, June 20, 2013
- *Public/Private Construction Partnerships, "Overview in Florida; Moderator,"* The Seminar Group, March 12, 2014
- *Fundamentals of Construction Issues in Florida, Construction Lien Fundamentals and Hidden Traps and Treasures In Florida's Construction Lien Law*, Lorman Seminar, April 29, 2014
- *Titans of the Construction Defect Industry-Mock Trial*, MC Conferences, June 26, 2014
- *Condominiums: Opportunities & Pitfalls, "Construction Defect Litigation-A Panel Discussion,"* The Seminar Group, September 23-24, 2014
- *Mechanics' Liens in Florida, "Notices and Claims: Preserve and Perfect Your Lien Rights While Avoiding Fatal Defects,"* NBI Seminar, May 12, 2015
- *Aventura Marketing Council for HOA and Condos*, January 29, 2016
- *Construction Defects Litigation from A to Z, "Case Law Updates: Rulings that Affect Your World" and "Litigation: Allegations, Defenses and Proving Your Case,"* NBI Seminar, January 26, 2016
- *5th Annual Construction Law in Florida*, The Seminar Group, October 13th & 14th, 2016
- *Construction Defect Claims*, 6th Annual Florida Construction Law Seminar, November 2017

#### Selected Reported Decisions

- *CDC Builders, Inc. v. Biltmore-Sevilla Debt Investors, LLC*, 151 So. 3d 479, 480-82 (Fla. 3d DCA 2014)
- *MB Financial Bank, N.A. v. Paragon Mortg. Holdings, LLC*, 89 So. 3d 917 (Fla. 2d DCA 2012)
- *CDC Builders, Inc. v. Riviera Almeria, LLC*, 51 So. 3d 510 (Fla. 3d DCA 2010)
- 704 So. 2d 689 (Fla. 3d DCA 1997)
- *Travelers Indem. Co. v. Florida Rock and Sand Co.*, 682 So. 2d 579 (Fla. 3d DCA 1996)