

J.P. Vogel

Partner

Clients throughout Texas, the U.S. and abroad rely on J.P. Vogel to guide them through every phase of sophisticated, time-sensitive commercial construction projects and resolve disputes when they don't go as planned. Leader of the Construction Practice Group, J.P. focuses on brainstorming new ways for clients to seize opportunities and overcome challenges – whether he's helping an international company manage the chaotic construction of a Gulf Coast industrial facility, negotiating the high-leverage construction contracts for an office building project or defending clients stuck in the midst of complex construction defect litigation. His clients are major players across the entire industry, including owners, general contractors, specialty subcontractors, suppliers and manufacturers.

As clients grow and their projects become more complex and risky, J.P. and his deep bench of construction lawyers are there guiding and protecting them every step of the way. When their needs go beyond everyday construction law and require a multi-disciplinary approach, J.P. relies on the firm's full-service capabilities – labor and employment, collections, tax, corporate governance, regulatory, wealth preservation and generational transition planning plus much more – and leads a hand-picked team dedicated to achieving the client's precise goals.

While J.P.'s clients value his ability to solve problems after they've already taken shape and damage control is the only option, where he truly makes an impact is when a project is already underway, a problem is just starting to develop, and the client trusts him to find the right solution before it's too late. This proactive approach often requires J.P. to look beyond the contract and find a creative strategy that not only enables the project to move forward, but also minimizes risk and gives the client peace of mind knowing he explored every alternative.

Always mindful of how his words and actions reflect on clients and the firm, J.P. takes a professional, no-nonsense approach to solving problems that streamlines the process and helps remove emotion and unnecessary



J.P. Vogel

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Industries

Construction

Practices

Construction
Construction Litigation
Commercial Litigation

Education

J.D., St. Mary's University School of Law
(2006)
B.B.A., History, Texas A&M University
(2003)

Bar Admissions

Texas (2006)

Court Admissions

United States District Court, Eastern

conflict from the equation. By avoiding aggressive gamesmanship that wastes time, escalates costs and distracts from the real issues at hand, he's able to minimize uncertainty and keep all parties focused on the primary goal – resolving the dispute or closing the deal.

District of Texas
United States District Court, Western
District of Texas
United States District Court, Northern
District of Texas

Experience

- Represented a Texas-based general contractor in arbitration against sub-contractor terminated for delay in performance and sub-contractor's surety.
- Representation of Houston based mitigation contractor regarding disputes on 15 different construction Projects resulting from Hurricane Ike. Representation resulted included the filing of mechanics and materialmens liens on each related Project.
- Represented Canadian based contractor in the perfection and collection of more than 100 separate mechanics and materialmens liens filed against multi-story condominium complex.
- Represented one of the nation's largest steel fabricators in payment dispute with defaulted prime contractor on interstate highway expansion project. Representation included the perfection of multiple payment bond claims and the negotiation of payment to client in excess of \$12 million.
- Represented Pittsburgh, PA based OEM plumbing part distributor regarding a dispute with a Texas based sales representative company related to alleged unpaid commissions.
- Represented Ohio based metal roofing manufacturer in litigation with Louisiana material distributor and obtained a judgment in excess of \$700,000.
- Represented developer in protracted negotiation of Project Contract Documents with General Contractor for construction of state of the art community welcome center in Austin, Texas.

- Represented Houston based general contractors in breach of contract litigation against Project owner. Representation resulted in favorable settlement for general contractor.
- Represented Houston based mitigation contractor in litigation against Oklahoma based subcontractor regarding a breach of contract dispute in excess of \$500,000. Representation included the successful defense of client from the enforcement of an Oklahoma Choice of Law and Venue provision, affirmed by the Oklahoma Supreme Court.
- Represented Dallas based concrete contractor in the preparation and perfection of a Restricted Appeal which resulted in favorable settlement for client.
- Represented San Antonio based glazing subcontractor in a \$30 million dispute in Bryan-College Station, Texas involving construction defects and delay claims.
- Represented international owner in the negotiation of multiple construction contracts for a +\$100 million industrial facility construction project in the Houston, Texas area
- Represented general contractor in the negotiation of multiple large-scale disaster relief construction contracts in the wake of Hurricane Irma

Press Releases

- “Gray Reed Enhances its Construction and Energy Practices with New Attorneys” (August 6, 2015)

Thought Leadership

- “New COVID-19 Safety Constraints on Construction in Dallas County”, Gray Reed Legal Alert (March 31, 2020)
- “Coronavirus and the Construction Industry: How to Handle an

Inevitable Delay”, Various publications (2020)

- “Terminating a Construction Contract”, *Build Houston Magazine* (February 2020)
- “Contract Considerations for a Volatile Steel Market”, *NASPD Pipeline Magazine* (First Issue 2020)
- ““Career-Technical Education”: Ending the Construction Workforce Drought in Texas”, *TEXO In Focus Magazine* (Fall 2019)
- “Series LLCs in the Construction Industry: Increasingly Popular Fortresses to Protect Contractor’s Assets”, *Build Houston* (October/November 2018)
- “Cybersecurity for the Construction Industry: Limiting Liability for Data Breaches”, *Construction Executive* (July 19, 2018)
- “Fighting the Four Horsemen of the Workforce Apocalypse”, *TEXO’s InFocus Magazine* (Summer 2018)
- “Is Your Construction Business Prepared and Protected for ICE Undocumented Worker Audits?”, *ForConstructionPros.com* (May 29, 2018)
- ““Buy American” Law Changes How Texans Buy Iron and Steel”, *NASPD Pipeline Magazine* (First Issue 2018)
- “Protecting Yourself in a Volatile Labor Market”, *Build Houston* (February/March 2018)
- “The Storm After the Storm”, *C&R Magazine (Restoration Industry Association)* (February 2018)
- “Don’t Mess With Texas Construction...Until You Know the Rules”, *Construction Executive* (December 4, 2017)
- ““Buy American” Law Changes How Texans Buy Iron and Steel”,

Build Houston (December/January 2018)

- “Softening a Hurricane’s Blow: Force Majeure and Builder’s Risk”, *Build Houston* (October/November 2017)
- “Softening a Hurricane’s Blow: Force Majeure and Builder’s Risk”, Gray Reed Legal Alert (September 1, 2017)
- ““Buy American” Law Changes How Texans Buy Iron and Steel” (August 25, 2017)
- “ICE Is Coming For Undocumented Workers - How To Prevent Corporate Frostbite”, *Build Houston* (August 1, 2017)
- “ICE Is Coming For Undocumented Workers: How To Prevent Corporate Frostbite”, *TEXO Magazine* (Summer 2017)
- “ICE Is Coming For Undocumented Workers: How To Prevent Corporate Frostbite”, *Construction Executive* (May 9, 2017)

Speeches and Presentations

- “Mock Litigation: Lessons in Due Diligence & Managing Documentation”, Advancing Construction Planning & Scheduling 2019 (September 23, 2019)
- “Industry Concerns Keeping our Construction Clients up at Night”, ABC - Texas Building Branch (June 7, 2019)
- “Who to Pay and When: Strategies for Complying with the Texas Construction Trust Funds Act and Funds Trapping Obligations”, Construction Financial Management Association - Houston (January 16, 2019)
- “The Balancing Act: Trade Associations & Antitrust Laws”, Leading Builders of America (May 24, 2018)
- “Meeting the Standard of Care in an Evolving Project Delivery Environment”, Texas Society of Professional Engineers - Bexar

Chapter (February 22, 2018)

- “Meeting the Standard of Care in an Evolving Project Delivery Environment”, Texas Society of Professional Engineers - Fort Worth Chapter (January 11, 2018)
- “Bulletproof your Contracts: Understanding and Negotiating Subcontract Clauses”, Texas Glass Association - North Texas Division (11/14/2017)

Honors

- Selected as a Best Lawyer in Dallas by *D Magazine* (2018 - 2019)
- Selected by his peers for inclusion in Woodward/White, Inc.’s *The Best Lawyers in America* in the field of Construction Law (2018 - 2020)
- Named a Rising Star by Texas Super Lawyers (a Thomson Reuters company) as published in *Texas Monthly* and *Texas Super Lawyers* magazines (2017 - 2020)

Organizational Involvement

Professional Activities, Memberships & Affiliations

- State Bar of Texas
 - Construction Law Section
- Tarrant County Bar Association
- Dallas Bar Association
 - Construction Law Section
 - Home Project Committee (2018)

- Golf Tournament Committee (2018)
- Associated Builders & Contractors – Houston
- Association of General Contractors – Houston
- TEXO – Dallas/Ft. Worth
- American Subcontractors Association -North Texas Chapter
- National Association of Steel Pipe Distributors
- Roofing Contractors Association of Texas
- Past Young Lawyer Representative to the State Bar of Texas Construction Law Section Board of Directors
- Past Board Member of San Antonio Bar Association Construction Law Section

Community Involvement, Memberships & Affiliations

- President - Wingate Hill Homeowner's Association (Southlake, TX)
- Vogel Alcove