

Robert Bass

Shareholder

Practices: Construction

Industries: Sports Business & Public Venues; Universities; P3, Infrastructure & Project Finance

Robert represents Winstead's real estate development, lending, bond underwriting and construction industry clients on a wide range of issues based on his extensive, practical experience in litigating construction disputes and in drafting and negotiating both large and small construction contracts. Additionally, with his contact and experience in lobbying the Texas Legislature with regard to construction-related legislation, Robert has key insight into the development of construction law in Texas.

"Robert Bass is widely viewed as a star of Texas construction law. His forte lies in transactional construction matters, and he also represents clients in complex disputes. Sources say, When someone wants to know why the construction law in Texas is the way it is, the answer is always 'Ask Robert Bass!'"

--- Chambers USA Guide (2011)

Representative Experience

Extensive experience in drafting and negotiating construction documents for clients on commercial construction projects, including sports venue, multi-family residential, condominium, high-rise office, and shopping center projects, including the following:

- Represented developer in drafting and negotiating construction contract and related consulting agreements for high-rise (36-floor), mixed-use (retail, office and multi-family) project utilizing a non-residential condominium structure
- Represented NYSE listed REIT in drafting and negotiating design and construction contracts for a multi-developer, mixed-use retail and multi-family development utilizing a non-residential condominium structure
- Represented international manufacturing company in drafting and negotiating design and construction contracts for manufacturing facility and offices in Austin, Texas
- Represented private, national university located in Texas for new standard design and construction contracts for all renovation and new construction work on campus
- Represented NYSE listed REIT as national construction counsel for shopping center developments (responsible for development of all construction related contract forms and preparation and negotiation of all design and construction contracts)
- Represented national developer and its captive general contractor for construction of multi-family projects throughout U.S.
- Represented public university in drafting and negotiating design and construction contracts for multiyear renovations to iconic football stadium (SEC)
- Represented general contractor in negotiating joint venture agreement and construction contract for multi-family, high rise project in Houston, Texas



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Education

University of Texas School of Law

– J.D., 1977

Yale University

– M.A.R., 1973

Baylor University

– B.A., 1971

- Represented local governmental authority in drafting and negotiating construction management agreement for new office complex
- Represented municipal-owned convention center hotel in major renovations during on-going hotel operations
- Represented private university in drafting and negotiating construction contract for major renovations to football stadium (Big 12)
- Represented general contractor in negotiating \$350 Million (plus) construction contract and related documents for the construction of a hospital for medical school in Houston, Texas
- Represented two separate NFL teams located in Texas with regard to design and construction of retractable roof football stadiums for respective teams
- Represented developer with regard to construction of high rise (18 story) residential condominium project in Austin, Texas
- Represented general contractor in drafting and negotiating a \$75 Million (plus) construction contract and related documents for the construction of a multi-building residential condominium in Austin, Texas
- Represented owner in drafting and negotiating construction contracts for a \$120 Million mixed use, master-planned continuing care retirement community project in Austin, Texas
- Represented developer in drafting and negotiating the contracts for the design and construction of a \$142 Million (plus) hotel and casino in Oklahoma
- Represented developer with regard to design and renovation of existing high rise office buildings for conversion to mixed-use, condominium and office tower project in downtown Fort Worth, Texas
- Represented one of the nation's largest churches with regard to design and construction of conversion of former NBA basketball arena to sanctuary and church facilities in Houston, Texas
- Represented design build contractor with regard to design and construction of 1000 bed correctional facility in Florence, Arizona
- Represented NYSE listed corporation with regard to design and construction of corporate headquarters building in Fort Worth, Texas
- Represented NBA team with regard to development, design, and construction of approx. 18,500 seat basketball and multi-purpose arena

Represents bond underwriters and lenders on construction-related issues arising on bond-financed and conventional commercial lending transactions which has included:

- Represented bond insurers with regard to financing for construction of approx. 82,000 seat NFL stadium (home to two NFL franchises)
- Represented bond insurers with regard to financing for construction of approx. 53,000 seat MLB stadium
- Represented bondholders with regard to financing for multiple military housing privatization projects for the United States Army, Navy and Air Force

Represents clients before the Texas Legislature and its various administrative agencies and local governmental bodies on a wide range of issues, which has included the following construction and insurance regulatory matters:

- Represented trade association in connection with legislative changes which limit or restrict broad form indemnity and additional insured provisions in construction contracts
- Represented trade association in connection with all significant revisions to Texas lien and bond laws since 1987
- Represented trade association in connection with enactment of statutory waiver of sovereign immunity for breach of contract litigation with local governmental entities
- Represented national contractor in connection with legislative proposals regulating owner and contractor controlled insurance programs

Represents clients in resolving construction claims, payment and performance bond claims and other disputes through negotiation, administrative proceedings, arbitration and litigation, including the following:

- Represented national developer in connection with claims arising from defective roof work on multiple units in facility which included issues arising from termination and replacement of contractor and recoveries from contractor's insurance
- Represented general contractor in arbitration in connection with claims against owner for unpaid contract funds and defense of counterclaims for liquidated damages and other damages on multi-building condominium project, which included issues relating to scheduling delay and design deficiencies
- Represented general contractor in connection with claims arising from termination of critical subcontractor and claims with owner for additional compensation on nationally recognized art museum project

Professional & Community Service

- State Bar of Texas (Construction Law Section: Chair, 2007-2008; Council, 1994-1997; Legislative Affairs Advisor, 2009-2015)
- Texas Board of Legal Specialization, Construction Law Examination Commission (2016-2018) (Examiner for Board Certification)
- Texas Bar Foundation (Life Fellow)
- American Bar Association (Tort Trial and Insurance Practice Section: Section Secretary, 1992-1995; Life Fellow of the Tort Trial and Insurance Practice Section; Forum Committee on the Construction Industry: Steering Committee, Division 12, 2001-2004)
- Austin Bar Association (Construction Law Section)
- Texas Building Branch (Associated General Contractors, Legal Affairs Committee)
- American Institute of Architects (Allied Member)

Awards & Recognition

- *The Best Lawyers in America*, Woodward/White Inc., Construction Law, 2007-2020
- *The Best Lawyers in America*, Woodward/White Inc., "Lawyer of the Year" - Austin Construction Law, 2012, 2013 and 2016; "Lawyer of the Year" - Austin Construction Litigation, 2015
- Chairman's Award, Texas Building Branch, Associated General Contractors, 2011
- Leadership and Service Award, Texas Building Branch, Associated General Contractors, 2005
- Texas Super Lawyers, Thomson Reuters, Construction Law, 2006-2019
- *Chambers USA Guide to America*, Chambers & Partners Publishing, 2019
- *Chambers USA Guide to America*, Chambers & Partners Publishing, Construction Law (Star Individual), 2006-2018

Admissions

- Texas, 1977
- U.S. Supreme Court
- U.S. Court of Appeals, Fifth Circuit