

The Issue

Construction projects that have been halted must be stabilized to preserve the value of the asset moving forward, ensure that the jobsite is in a safe, stable condition to prevent negligence claims in case of injury to the public, and prevent the asset from turning into an expensive liability.

Even for a short period of time, exposure of unprotected materials and surfaces rain, wind and ultraviolet rays from the sun can cause degradation in the form of warping, mold, rust, photo-oxidation etc., and can break down adhesives and glues that are integral to many building materials. Poorly established or incomplete drainage schemes can result in general water damage and site erosion which can result in the need for extensive repairs and restoration, and additionally lead to storm water compliance issues.

Jobsites where work was abruptly stopped can become a dangerous liability, particularly where fall hazards, potential for unsecured materials falling, destabilization/collapse if component installation is incomplete, and unprotected excavations are present. Children are attracted to jobsites, and there can be many dangers to them. Offsite work that remains incomplete is both a permitting and safety issue.

An abandoned jobsite where the owner fails to implement measures can create a liability in five primary ways:

1. Open to litigation in case of injury.
2. Potential building/public safety code compliance violations for on-site and off-site work, and attendant liabilities.
3. Permitting may be jeopardized.
4. A property may require expensive, additional remediation to move forward to completion in order to create a productive asset.
5. A property that degrades excessively and where damage repair costs are in excess of the remaining asset value must be demolished at considerable cost (the asset had turned into a liability).

In the case of a stopped project, the assignment of liability for losses can be a complex, lengthy process, but regardless of the ultimate outcome, it is never wise to allow the asset to degrade and potentially become a liability.



Our Services

In response to the needs of the marketplace, TWC Construction, one of the top commercial/industrial general contractors in Southern Nevada, has developed a business unit focused on providing the following asset stabilization and preservation service to lenders and investors on a rapid deployment basis:

- Perform and document a condition assessment of the distressed/abandoned property, including direct and indirect liabilities/obligations.
- Identify the preservation/stabilization work needed, and assign a cost to perform the work.
- Upon approval of cost by lender/investor, perform the required work to stabilize the property.
- Once the work is complete, document the work performed and the stabilized status of the property.
- Provide the lender/investor with a maintenance program that identifies the interim work to preserve the asset once it is stabilized until such time as work toward project completion is resumed.
- Manage and maintain properties until satisfactory disposition is achieved.

In addition to these asset stabilization and preservation services, TWC Construction can complete unfinished projects to facilitate sale or productive use.

Rapid response services can be provided for all types of properties, whether office, retail, warehouse, industrial, apartments or condominiums.

Please contact Mark Wilmer at 702.597.3444 or mwilmer@twcconstruction.com to discuss how we can help you.