

Thomas R. Barber



Overview

Shareholder [Houston](#)
700 Milam Street, Suite 2700
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Education

J.D. from University of Arkansas at Little Rock
B.S. from Oklahoma State University

Bar Admissions

Arkansas
Texas

Related Practices

Litigation
Construction Litigation
Energy Litigation
Real Estate Litigation

Related Industries

Construction
Energy
Manufacturing
Real Estate

Achievements

Chambers USA – Leaders in Their Field, Construction –
Texas (2016-2020)

Tom's practice focuses on representing public and private owners and general contractors, with an emphasis on the preparation of project design and construction documentation, complex construction case workouts and lien and bond claim prosecution and defense. He is also very experienced in matters relating to suretyship, including the comprehensive investigation and resolution of contractor defaults at all levels of contracting.

Tom brings to the firm and its clients more than 35 years of experience within the construction industry. Prior to joining Munsch Hardt, Tom helped grow and lead the Construction/Surety section of another major Houston law firm. An avid speaker, Tom has presented more than eighty lectures and seminars to industry groups, Bar Associations and client groups. Topics range from suretyship, lien laws and construction contract provisions to sales taxation, dispute resolution and insurance issues.

Martindale-Hubbell® AV Preeminent®, Peer Review
Rated™

Thomson Reuters – Texas Super Lawyers (2004-2019)

Woodward/White, Inc. – Best Lawyers in America, Texas’
Best Lawyers, Construction Law (2008-2020); Best
Lawyers in America, Texas’ Best Lawyers, Construction
Litigation (2019-2020); Best Lawyers in America, "Lawyer
of the Year" (2014)

Memberships

American Bar Association, ABA Forum Committee on the
Construction Industry (2006 Program Co-Chair)

Arkansas State Bar

Fidelity and Surety Law Committee, Tort & Insurance
Practice Section (2006 Program Co-Chair)

Houston Bar Association, Construction Section (Past
Executive Council Member)

State Bar of Texas, Construction Section (Executive
Council Member; Immediate Past Chair)

Experience

Water Pipe Line Construction

Representing a public owner in relation to construction issues on a \$500 MM, 40 mile, 96 inch water line pipe line project.

Water Purification Plant

Representing public owners providing financing concerning legal issues relating to design and construction of a \$1.1 B water purification plant.

Construction Contracts

Represented a Municipality in negotiating and drafting the construction, design and procurement agreements for a \$32 MM minor league baseball stadium. The project was a fast track design build with multiple FF&E contracts and was developed through a Public-Private Partnership (P3). It was finished on time with less than one percent of the contract amount in change order work.

Construction Procurement Project

Represented a Municipality in all of the procurement work associated with a new \$84 MM, state-of-the-art, indoor performance venue, using a two-step Construction Manager At Risk delivery method. The representation included FF&E purchase contracts, working through a Public Private Partnership and the infrastructure development associated with the facility.

Construction Contracts

Represented a Municipality in the negotiating and drafting the construction, design and procurement agreements for a \$75 MM surface water treatment facility utilizing new filtration and treatment technologies, with significant potential damages for late completion arising out of subsidence fees and penalties.

Construction Contracts

Represented a school district in the development, modification and implementation construction procurement contracts, including design and testing, for the execution of a \$1.9 B bond program.

Contract Negotiations

Represented a Texas school district in negotiating and drafting Energy Performance contracts for retrofit of numerous outdated campuses.

Contractor Surety Litigation

Represented a school district in recovery of substantially all of its costs (more than six figures), including fees and expenses of consultants, from contractor's surety in a case where the surety declined to complete or fund completion of a fast track "must be done over summer" renovation of an urban school.

Construction Contracts

Represented a large private high school in negotiating and drafting construction, design, project management and procurement contracts for a mid-seven figure campus wide expansion commencing with a new academic building, parking structure, central plant renovations and additions and site civil works.

Construction Contracts

Represented various general contractors in constructing joint ventures, including agreements in compliance with the regulations applicable to the use of service disabled veteran programs.

Construction Contracts

Represented several homeowners in the negotiation and drafting of residential construction contracts for high value (mid-six figure to seven figure) homes.

Newsroom

Press Release: Munsch Hardt's Chambers USA 2020 Rankings Include Four Practice Groups and Nine Attorneys

Press Release: Seventeen Munsch Hardt Attorneys Recognized on 2019 Texas Super Lawyers List

Press Release: Twenty-Seven Munsch Hardt Attorneys Honored as '2020 Best Lawyers in America'

Press Release: Chambers USA 2019 Ranks Five Munsch Hardt Practice Groups and Nine Lawyers

Press Release: Seventeen Munsch Hardt Attorneys Included on 2018 Texas Super Lawyers List

Press Release: Twenty-One Munsch Hardt Attorneys Recognized as 2019 "Best Lawyers in America"

Press Release: Munsch Hardt Again Recognized as Industry Leader in 2018 Chambers USA

Press Release: Seventeen Munsch Hardt Attorneys Recognized as 2017 Texas Super Lawyers

Press Release: Twenty Munsch Hardt Attorneys Honored as '2018 Best Lawyers in America'

Press Release: Munsch Hardt Increases Practice, Individual Rankings in 2017 Chambers USA

In The News: One Lawyer's Work to Rebuild a Practice After Surviving Cancer

Speech: 2016 Employment Law, Immigration Law and Construction Law Updates

Press Release: Munsch Hardt Congratulates its 14 Texas Super Lawyers

Press Release: '100 Men Who Give a Damn' Houston Chapter Raises \$13,825 for Making It Better at Inaugural Meeting

Press Release: Munsch Hardt Recognized as Industry Leader in 2016 Chambers USA

Press Release: Twenty-Two Munsch Hardt Attorneys Recognized as 2017 Best Lawyers in America

Press Release: Munsch Hardt Expands Construction Practice with Shareholder Hire in Houston