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**The POWER 30: Shamus P. O'Meara**

By: Minnesota Lawyer June 28, 2021

There are opportunities for contractors, subcontractors and others to communicate about the scope and risk of a project from the inking of a contract to the final twist of a screwdriver. But they don't always do so.

"A lot of claims result from a failure to communicate about risk transfer arrangements and scope of exposure," said Shamus O'Meara, partner at O'Meara, Leer, Wagner & Kohl in Minneapolis, where he represents contractors and others all over the country. There are misunderstandings about the obligations of design professionals as well as diametrically opposed positions about whether a risk has been transferred, O'Meara said.

He advocates for comprehensive dialog throughout the process and has seen some nontraditional ways of delivering a quality project for a reasonable cost. One of those ways is assembling teams at the front end so everyone knows what the delivery model is and what the responsibilities are.

Another goal is to integrate the construction elements and the design elements in "meaningful ways" that reduce opportunities for conflict.

O'Meara also said that problems and conflicts may result in public projects where the work is awarded to the lowest bidder. "Sometimes the low bidder is not the lowest responsible bidder," he said. The bid should go to pre-qualified bidders who can deliver the best value, he said, and that is an issue the Legislature needs to consider.

O'Meara also represents clients in areas of education law. He has worked with the U.S. and Minnesota Departments of Education, U.S. Attorney Office, Secret Service, FBI, Minnesota Department of Public Safety, school districts, and many state and national education organizations to promote safety awareness and crisis management in schools and on campuses.

"Once the subject of nerdy seminars among security vendors, incorporating crime prevention principles in the design of school buildings is fast becoming an integral part of safe school planning. Bulletproof glass, relocation of offices, sight lines, integrated cameras and lighting, and reconfigured traffic patterns are now the subject of discussion among school design teams," O'Meara wrote in the ABA publication, "The Construction Journal."

O'Meara is also the former chair of the Minnesota Governor's Council on Developmental Disabilities and past president of Disability Justice, which provides legal resources online to lawyers and others.

He is one of the originators, along with Chris Gibbs, of the developing Integrated Community Project. "The project concept features residential living with employment and other opportunities both on site and within the local community. Supported business connections combined with educational resources and programs provide person-centered life skills and experience to facilitate independent living.

The project includes a health and wellness component, indoor/outdoor rec areas (gym, pool, activity center, garden/park) along with other features and amenities.

"We have met with several local and state leaders, private businesses, schools and higher education institutions, national developers, strategic partners and of course many in the disabilities community," O'Meara said in an email to Minnesota Lawyer.

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