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Andrea Petray is a pragmatic, results-oriented litigator and business advisor who works with company owners, presidents and CEOs, vice presidents of operations, and in-house counsel. Her considerable construction litigation expertise includes public and private works collections; delay, extra work, disruption and impact claims; surety bond claims; course-of-performance strategies; and construction contracts review and negotiation. Andrea's clients include general and design-build contractors, subcontractors, construction managers, sureties, and high-value homeowners.

Prior to attending law school, positions for a residential land developer and general contractor captured Andrea's interest in the construction industry. More than a dozen years later as a practicing attorney, she remains energized by the ever-changing challenges of the firm's construction clients. Highly competitive by nature, Andrea credits much of her success to her instinct for knowing which battles to fight and which to walk away from. Her expertise in statutory collection remedies for public and private works is superlative and the focus of her legal practice.

CLAIMS AND DISPUTES

The construction arena presents a myriad of challenges for local, state, and federal general contractors faced with pursuing project owners and project designers for costs incurred due to design changes, errors, and omissions. Specialty subcontractors in electrical, plumbing, mechanical, and carpentry trades share similar payment pains caused by upstream project participants. For over a decade, Andrea has assisted general contractors and subcontractors in prosecuting or defending hundreds of these extra work claims. She has amassed an extraordinary level of skill and expertise along the way, which has consistently resulted in exceptional outcomes for our clients.

PRACTICES

- Construction Law
 - Claims & Disputes
 - Local Agency, Municipal & State Contracts
 - Federal Procurement & Claims
 - Project Counsel
 - Prime Contracts & Subcontracts
 - Labor & Employment
 - Collections
- Business & Commercial Litigation
- Real Estate

ADMISSIONS

- California: State Courts
- U.S. District Court of California: Central, Eastern, Northern, Southern

Finch, Thornton & Baird, LLP
4747 Executive Drive, Suite 700
San Diego, CA 92121



Andrea L. Petray

PARTNER

Methodically drafting and computing delay, disruption, impact, and inefficiency claims – and pursuing them through change orders, contract claims processes, and litigation – anchors Andrea’s legal know-how. She understands the cause and effect of construction events and the calculation of resulting overages inside and out. However, it is the care and effort Andrea puts into understanding precisely how clients actually lived the project that earns their trust. It is this emphasis on thorough evidence gathering, detailed analysis, and confirmation of facts that separates Finch, Thornton & Baird, LLP from other law firms.

Clients seeking to maximize their recovery of claims and disputes early in the process are encouraged to consider the early engagement of Ms. Petray and this firm. There is no substitute for the value of experienced counsel and high quality leverage in diffusing the exaggerated or unrealistic positions of adversarial parties. Nor is there a substitute for getting paid the monies you are owed.

COLLECTIONS PROSECUTION

General contractors, design-builders, and construction managers often encounter payment delays from project owners. In turn, trade subcontractors suffer from not being paid their contract balance or for extra work performed for the general contractor or owner. It is a vicious cycle that usually demands legal intervention. Andrea is highly experienced in the statutory remedies that assure aggressive collection of all amounts due and can provide creative solutions to correct client mistakes in statutory compliance. Perhaps most importantly, Andrea is adept at securing collections payments through mechanic’s liens, stop payment notices, and payment bonds. It all adds up to maximizing recovery through early resolution and fast collections.

COLLECTIONS DEFENSE

Andrea’s success in prosecuting collection matters makes her especially well suited to provide unique defense strategies for payment claims brought by lower-tier subcontractors – including presentation and proof-of-offset claims. Once again, a high level of attention to detail, pragmatic cost analysis, and early identification of accounting and claim discrepancies are paramount. So too are Andrea’s years of experience working with general contractors to reduce and avoid liability based on discrete fact patterns. (In fact, our attorneys usually know the other side’s claim better than their own lawyers.) Bottom line, experience, extreme due diligence, creative solutions, and the firm’s aggressive approach empowers Andrea’s ability to consistently minimize client liability and shorten the time to resolution.

EXPERIENCE

- Construction litigation
- Drafting and computing delay, disruption, impact, and inefficiency claims
- Mechanic’s liens, stop payment notices, and payment bond claims
- Public and private works disputes
- Subcontractor default issues

EDUCATION

- University of California, Los Angeles, School of Law, J.D.
- University of California at Davis, B.A., Political Science

MEMBERSHIPS

- State Bar of California

RECOGNITION

- 2020 Rising Star
by Super Lawyers Magazine
- 2015 Best of the Bar *by the San Diego Business Journal*
- 2012 Top 10 San Diego Construction and Real Estate Law Attorney *by the San Diego Business Journal*

COMMUNITY

- Chairperson, Board of Directors, Habitat for Humanity, San Diego
- Women of Influence, Women Build 2018, Habitat for Humanity, San Diego

LEADERSHIP

Ms. Petray is an accomplished public speaker and regularly addresses the construction community on a range of legal, training and educational topics:

Get Paid! Collection Remedies for Public & Private Works Matters

Collection Strategies & Practical Advice: How To Get Paid On Public & Private Works

Collection Remedies: Lien Law, Payment Bonds, Stop Payment Notices, And Beyond