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Contractor On Failed Miami Bridge Has Ch. 11 Plan Confirmed

By [Carolina Bolado](#)

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Law360 (December 12, 2019, 7:50 PM EST) -- A Miami construction company forced into Chapter 11 by the March 2018 collapse of a Miami pedestrian bridge will exit bankruptcy with a reorganization plan approved Thursday that includes \$103 million for victims who were injured in the accident.

In a hearing in Miami, U.S. Bankruptcy Judge A. Jay Cristol approved the confirmation plan for Magnum Construction Management LLC that resolves all bodily injury and property damage claims against the company, according to the company's attorney Jordi Gusó of [Berger Singerman LLP](#).

The centerpiece of the plan is a \$103 million trust for those who were injured or killed March 15, 2018, when the newly built pedestrian bridge at Florida International University collapsed and killed six people. Gusó said there are 18 separate lawsuits alleging wrongful death or personal injury claims against the company, which was formerly known as Munilla Construction Management LLC and operates as MCM.

Under the plan, FIU will receive \$9.5 million for its \$15.25 million claim for property damage, according to Gusó.

Gusó called the plan, which was approved just over eight months after MCM [filed for Chapter 11 protection](#), a "remarkable outcome" and said the company is committed now to moving forward.

"This company has been around for 35 years," he said. "At its peak it employed 1,000 employees and has been involved in some of the most significant construction projects in South Florida and elsewhere in the state. The future is very rosy."

The pedestrian bridge was supposed to provide a safe way to connect FIU students who live in apartments across Southwest Eighth Street — which is eight lanes wide at that point — to the campus after pedestrians had been killed trying to cross the street in recent years. The project was a recipient of an \$11 million grant from the [U.S. Department of Transportation](#), plus \$2.2 million in other federal funding, \$2.9 million in local funding and \$57,000 from the [Florida Department of Transportation](#).

The concrete bridge was built using a technique known as accelerated bridge construction, which involved building the span on the side of Eighth Street and then moving it into place.

It had been installed less than a week before the collapse, and workers were in the process of adjusting post-tensioning cables before the bridge failed. It had not yet opened to pedestrians, but traffic flowed freely underneath March 15, the day of the collapse, and several cars stopped at a red light were crushed.

The [National Transportation Safety Board](#)'s report, released last month, concluded that the bridge failure was caused by errors made by Figg Bridge Engineers Inc., which designed the bridge, and the Louis [Berger Group](#), the engineering firm that oversaw the design.

Kristopher Aungst, who represents the creditors committee, said Thursday that the committee supported the plan and "looks forward to the victims quickly receiving funding to assist them and for funds to begin to be provided to all creditors in the case."

MCM is represented by Jordi Gusó and Paul A. Avron of Berger Singerman, Kelly A. Johnson of [Saxe Doernberger & Vita PC](#), Mariela Malfeld of [Watt Tieder Hoffar & Fitzgerald LLP](#) and Efrain Cortes of the Law Offices of Efrain Cortes.

The creditors committee is represented by Kristopher Aungst and Michael Foster of [Wargo French LLP](#).

The case is In re: Magnum Construction Management LLC, case number 1:19-bk-12821, in the U.S. Bankruptcy Court for the Southern District of Florida.

--Additional reporting by Nathan Hale. Editing by Abbie Sarfo.

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