

Construction

Amundsen Davis is the construction industry's premier comprehensive legal services provider. We know the industry in a way that no other law firm does. Many of our attorneys having worked in the industry and regularly provide the following legal services to the following industry partners:

CORPORATE/CONSTRUCTION

- Outside general counsel services, offering legal and business advice on issues as encountered
- Analyzing, drafting, and negotiating construction contracts
- Providing emergency response services during OSHA investigations and other catastrophic events
- Managing OSHA inspections
- Evaluating existing and necessary insurance coverage, including commercial general liability, professional liability, builders' risk, contractor-controlled, and owner-controlled (wrap-up) policies
- Evaluating and developing alternatives to traditional coverage schemes

LITIGATION/CONSTRUCTION

- Defending catastrophic personal injury, property damage, environmental and toxic exposure claims arising in the construction setting
- Litigating commercial and contract claims
- Perfecting and litigating mechanics lien and bond claims
- Defending complex construction defect claims
- Contesting and litigating OSHA citations
- Identifying, evaluating, tendering, and enforcing coverage on behalf of design professionals, owners, and contractors

LABOR & EMPLOYMENT /CONSTRUCTION

- **Human Resources** – Counsel as to all aspects of hiring, discipline and termination process, develop workplace policies, conduct investigations, guide through complexities of the ADA and FMLA, VESSA and workers' compensation leave, assess employee classification, and manage wage and hour matters.
- **Union Relations** – Develop union avoidance strategy, negotiate and administer collective bargaining agreements, steer through NLRB election/

PROFESSIONALS

Dennis J. Cotter
Partner

Matthew Horn
Partner

Beverly P. Alfon
Partner

Mark P. Broderick
Partner

Brooke Cieplik
Associate

Billy Clarke
Associate

Michael F. Cocciemiglio
Partner

Lisa Conforti
Senior Counsel

Margaret Firnstein Gebhardt
Partner

Constantine Gavrilos
Associate

Lynn M. Gompper
Senior Paralegal & E-
Discovery Specialist

Laura Grebe
Partner

Aaron E. Hall
Partner

Kimberly A. Herring
Partner

Callan Heuring
Paralegal

Michael F. Hughes
Partner

Christopher J. Jaekels
Partner

Lisa A. Johnson
Partner

deauthorization/decertification process, and plan for strike/picket activity

- **Government Regulation, Audit and Compliance (USDOL, OFCCP, EEOC, NLRB, OSHA and state equivalent agencies, including prevailing wage)** – Develop compliance strategies, education and compliance training, representation in government agency audit and investigations, assessment and conciliation.
- **Employee Benefits & Compensation** – Navigate ERISA and ACA requirements, union fringe benefit fund audits, and withdrawal liability issues
- **Staffing Agency, Independent Contractor & Contingent Workforce** – Develop strategy for avoidance of employer liability
- **Workers' Compensation** – Analyze risk, coverage and loss prevention, and evaluate safety policies.
- **Litigation** – Defend against the full spectrum of employment-related claims including matters pending before federal and state government agencies (EEOC, NLRB, USDOL, IDOL, IDHR), federal and state court and labor arbitration.

REPRESENTATIVE CONSTRUCTION INDUSTRY CLIENTS

- General and specialty contractors
- General contractors
- Design-build contractors
- Construction managers
- Home builders
- Material and equipment suppliers
 - Material suppliers
 - Material manufacturers and processors
 - Equipment manufacturers
 - Equipment sales and rental companies
- Owners and developers
 - Commercial and residential
 - Condominium associations
- Design Professionals
 - Architects
 - Engineers
 - Surveyors
- Insurers
 - Builders' risk

Construction

Jason R. Just
Partner

Lisa Kirchman
Paralegal

Patrick J. Lubenow
Special Counsel

Elizabeth H. Lum
Partner

Thomas J. Lyman, III
Special Counsel

Matthew R. McClean
Partner

Keith D. Mundrick
Partner

Maddie Owen
Paralegal

Ken Perry
Partner

Daniel S. Peters
Partner

Patrick J. Richel
Senior Counsel

Jeffrey A. Risch
Partner

Jack T. Sanker
Partner

Andrew C. Seiber
Partner

Blake Stark
Associate

Joe Trevino
Partner

William Charles Phillips
Westfall
Associate

Brandi White
Nurse Analyst

Construction

- Commercial general liability
- Excess insurers
- OCIPs and CCIPs ("wrap-ups")
- Professional liability
- Railroad protective liability

Experience

Successfully Established a New Business Plan for a General Contractor to Utilize Both Union and Non-Union Subcontractors

Secured a Restraining Order and Injunction against a School District for Unfairly Trying to Sway Construction Work Away From a Non-Union Contractor

Secured \$300,000 Arbitration Award in Construction Dispute

Won Summary Judgment and Sanctions for Construction Client in the Circuit Court of Cook County

Successfully Defended a General Contractor at Arbitration Against a Condominium Association

Defended a Large Engineering Firm in a 7-Figure Claim

Secured a Defense Verdict for a General Contractor in a Case Involving a Construction Injury Accident

Represented the General Contractor in a Transaction for the Construction Contracts for the Completion of a Portion of the Obama Presidential Center

Won a Defense Verdict for a Mechanical Contractor Against Allegations of Civil Theft, Conversion and Unjust Enrichment

Represented a Concrete Subcontractor After a Partial Façade Collapsed at a Parking Garage

Negotiated a Settlement for a General Contractor After Terra Cotta Fell From a Newly Renovated Building

Successfully Represented a Subcontractor on its Lien Claim When Financing for a Multimillion Dollar Project Ran Out and the Project Stalled

Recovered More than \$1.5 Million in Damages and Litigation Fees and Defeated a Multi-million Dollar Change Order Demand for a Village

Won a Motion to Dismiss on a Construction Contract Case Involving Enforceability of a Forum Selection Clause and Public Policy

Construction

Successfully Represented a Homeowner Who Discovered Substantial Errors in the Survey of His Property

Defended a Sewage District in Claims Alleging that the Deep Tunnel System Created Dewatering and Damage to a Local Business

Defended Allegations of Negligence, Breach of Contract and Fraud in a Case Involving a Serious Construction Accident

Negotiated a Resolution for a Construction Company in a Multi-Million Dollar Dispute with a Municipality

Prepared and Negotiated the Construction Contracts for a 137 Acre, Multi-Phase, Mixed-Income Development

Avoided Costly Litigation in an Allegedly Defective Design and Construction Case

Defended General Contractor From Multiple OSHA Citations

Obtained Dismissal By Way of Dispositive Motion on Behalf of Millwork Contractor

Won Counterclaim for Sign and Awning Contractor in Case Involving

Obtained a Not Guilty Verdict Before a Jury in a Construction Jobsite Injury Case

Represented a General Contractor in a Multi-million Dollar Dispute Regarding Design and Construction of an Apartment Complex

Successfully Defended a Masonry Contractor in a Construction Injury Case

Won Partial Summary Judgment on Complex Issues of Federal Preemption

Defended a Construction Company Against a Wrongful Death Claims Involving OSHA Citations

Successfully Helped a Construction Company and its Employee Avoid the Risk of Paying Punitive Damages in a Wrongful Death Case

Successfully Defended an Owner and Operator of a Crane in a Personal Injury Case

Defended a Commercial Building Owner on a Subrogation Claim by a Tenant's Insurance Company Seeking Over \$500,000 in Damages

Represented a Subcontractor Hired as an Excavator on a Commercial Development but was Not Paid

Obtained Summary Judgment in Favor of Insurer

Successfully Defended a Construction Contractor under the Illinois Prevailing Wage Act

Construction

Won a Substantial Verdict in Illinois State Court for a Developer Cut Out of Deal

Obtained Trial Verdict in Favor of Developer

Represents Construction Clients in Defense of Petitions for Enforcement
Administrative Subpoenas Under Prevailing Wage Act

Defended an Engineering Firm Against Alleged Negligent Design and Unjust
Enrichment

Successfully Filed Numerous Unfair Labor Practice Charges Against Unions
Unlawful Picketing Activities at Construction Sites

Represented a Church Following a Construction Accident

Served as Outside Counsel for a Large Construction and Civil Engineering
Company

Defended a Construction Industry Client Against Claims by Union Benefit Funds
that Claims the Client was the Purported Successor of a Prior Business Entity and
Owed the Funds More than \$1 Million

Obtained Summary Judgment for Sub-Contractor

Obtained Dismissal by Way of Dispositive Motion

Obtained Dismissal of Consumer Fraud & Deceptive Business Practices Act
Claims

Successfully Tried Matter to Recover Reimbursement from Sub-Contractor

Obtained Summary Judgment on Behalf of Owner of Construction Project

Represented a Contractor in an Ownership Dispute over Equipment the Client
Purchased

Defended Multi-Party \$50 Million CERCLA - Environmental Claims

Defended Custom Home Builder in Case for Alleged Defects

Successfully Defended Distributor Facing Potential Punitive Damages

Defended Majority Business Owner Against Claims in Excess of \$2 Million

Represented General Contractor in a Case for Alleged Damages

Defended Wholesaler and Distributor Before US Court of Appeals

Represented a Purchaser in an Acquisition and Development of a Construction
Entity

Represented Developer in Case Against Contractor

Construction

Obtained Summary Judgment in Favor of Commuter Rail

Represented a Trucking Company at Trial in a Multiple Fatality Case

Defended Underground Contractor in OSHA Case

Obtained Dismissal on Behalf of Contractor

Secured Settlement in Complex Case Involving Oil Refinery Processing and Financial and Consequential Damages Forensics

Represented General Contractor in Lawsuit Against Subcontractor

Successfully Defended Construction Company Resulting in Settlement

Represented the General Contractor in the Transaction for a Sprawling, Multi-Use, Multi-Unit, Mixed-Income Development

Facilitated the Construction Contracts for the \$56 Million Development of a State-of-the-Art Cargo Facility at Chicago's O'Hare Airport

Represented the General Contractor in the Transaction for a Luxury, Mid-Rise Development

Secured Dismissal for Construction Contractor in a Contentious False Claims Act Claim

Prepared and Negotiated the Construction Contracts for the Completion of a \$43 Million Residential Development

Successfully Defended a Large Construction Company in a Multi-Party Lawsuit Alleging Breach of Contract and Multi-Million Dollar Damages

Successfully Defended a Building Materials Manufacturer Against Construction Defect Claims

Handles a Variety of Contract Negotiations with Prime and Subcontractors for a Large Construction Company

Firm News

Amundsen Davis Welcomes Billy Clarke to Construction Service Group
Firm News, April 28, 2025

Blake Stark Joins Construction Team
Firm News, April 15, 2025

Amundsen Davis Elevates Seven Attorneys to Partner
Firm News, February 19, 2025

Congratulations to Amundsen Davis Attorneys Included on 2025 Illinois Super Lawyers and Rising Stars Lists
Firm News, January 21, 2025

Congratulations to Amundsen Davis Attorneys Included on the 2024 Wisconsin Super Lawyers and Rising Stars Lists
Firm News, November 14, 2024

Several Amundsen Davis Service Groups Named in the 2025 Edition of Best Law Firms®
Firm News, November 7, 2024

Subscribe to Amundsen Davis's Litigation Nation Podcast for the latest legal updates!
Firm News

100 Amundsen Davis Attorneys Recognized by Best Lawyers® in 2025 in America
Firm News, August 15, 2024

Amundsen Davis Welcomes Brooke Cieplik
Firm News, August 12, 2024

Amundsen Davis Attorneys Included in the 2024 Illinois Super Lawyers and Rising Stars List
Firm News, January 25, 2024

Welcome Attorney William Charles Phillips Westfall to Amundsen Davis
Firm News, January 16, 2024

Amundsen Davis Attorneys Included in 2023 Wisconsin Super Lawyers and Rising Stars Lists!
Firm News, November 16, 2023

Amundsen Davis Named in the 2024 Edition of Best Law Firms®
Firm News, November 2, 2023

82 Amundsen Davis Attorneys Recognized by Best Lawyers® in 2024 in America
Firm News, August 17, 2023

Amundsen Davis Promotes Three Attorneys to Partner
Firm News, February 21, 2023

Amundsen Davis Attorneys Included in the 2023 Illinois Super Lawyers and Rising Stars List
Firm News, *Amundsen Davis*, January 23, 2023

BTI Consulting Group Names Dennis Cotter on Client Service All-Stars 2023 List
Firm News, *BTI Consulting Group*, 2023

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U.S. News & World Report – Best Lawyers® “Best Law Firms” 2023
Firm News, November 3, 2022

Attorney Lisa Conforti Joins Construction Service Group in Chicago
Firm News, August 22, 2022

37 Amundsen Davis Attorneys Recognized by *Best Lawyers in America*© 2023
Firm News, August 18, 2022

Amundsen Davis Promotes Five Attorneys to Partner
Firm News, March 14, 2022

29 Amundsen Davis Attorneys Included on 2022 Illinois Super Lawyers and Rising Stars Lists
January 28, 2022

Amundsen Davis Welcomes Constantine Gavrilos to Construction Practice Group
December 13, 2021

Amundsen Davis Attorneys Included in the 2021 Missouri Super Lawyers List
Amundsen Davis, November 18, 2021

Amundsen Davis Attorneys Included in the 2021 Wisconsin Super Lawyers and Rising Stars List
Amundsen Davis, November 18, 2021

U.S. News & World Report – Best Lawyers® “Best Law Firms” 2022
November 4, 2021

29 Amundsen Davis Attorneys Recognized by *Best Lawyers in America*© 2022
Firm News, August 19, 2021

26 Amundsen Davis Attorneys Included on 2021 Illinois Super Lawyers and Rising Stars Lists
January 29, 2021

Attorney Patrick J. Richel Joins Amundsen Davis's Construction Practice Group in Chicago
January 4, 2021

Amundsen Davis Attorneys Included on the 2020 Wisconsin Super Lawyers and Rising Stars Lists
Amundsen Davis, November 17, 2020

U.S. News & World Report – Best Lawyers® “Best Law Firms” 2021
November 5, 2020

23 Amundsen Davis Attorneys Included on 2020 Illinois Super Lawyers and Rising Stars Lists
January 29, 2020

Construction

28 Amundsen Davis Attorneys Included on 2019 Illinois Super Lawyers and Rising Stars Lists
Firm News, January 24, 2019

Amundsen Davis Ranks on Crain's Chicago Business' 2018 Largest Law Firms List
Crain's Chicago Business, October 25, 2018

Amundsen Davis Promotes Attorneys to Partner
Firm News, March 15, 2018

5 Amundsen Davis Attorneys Included on 2018 Indiana Super Lawyers and Rising Stars Lists
Firm News, February 20, 2018

John Tanselle Honored as Distinguished Fellow by the Indianapolis Bar Foundation
November 21, 2017

Amundsen Davis Ranks on Crain's Chicago Business' Largest Law Firms List
Crain's Chicago Business, September 15, 2017

26 Amundsen Davis Attorneys Included on 2017 Illinois Super Lawyers and Rising Stars Lists
Firm News, January 13, 2017

Amundsen Davis Ranks on Crain's Chicago Business' Chicago Largest Law Firms List
Firm News, *Crain's Chicago Business*, September 10, 2016

In the Media

USLAW Releases Updated Construction Compendium of Law
Media Mention, *USLAW*, May 2021

USLAW Releases Updated Construction Compendium of Law
Media Mention, *USLAW*, May 2018

USLAW Releases Updated Construction Compendium of Law
Media Mention, *USLAW*, May 2017

USLAW Releases Updated Construction Compendium of Law
Media Mention, *USLAW*, April 2016

Alerts

California Court Opens the Litigation Floodgate Re: COVID-19 Exposure in the Workplace
Construction Alert, April 21, 2022

New Pending Illinois Legislation Could Impact Potential COVID-19 Exposure Claims

Amundsen Davis Construction Alert, March 4, 2021

OSHA's Latest COVID-19 Guidance

Amundsen Davis OSHA Alert, February 10, 2021

COVID-19 Updates Impacting Employers

Amundsen Davis Alert, April 24, 2020

Wisconsin's New Safer At Home Order Alters Restrictions on Businesses

Article, April 16, 2020

Illinois Department of Labor Launches Prevailing Wage Electronic Database –

April 1, 2020

Amundsen Davis Labor & Employment Alert, April 13, 2020

Contractors Considered Essential Workers during Shelter-in-Place Orders

Amundsen Davis Construction Alert, April 8, 2020

COVID-19's Impact on Construction in Illinois

Amundsen Davis Construction Alert, March 23, 2020

Proceed, Pause or Be Damned? Immediate Construction Contract Considerations for Owners and Contractors

Article, March 20, 2020

New Illinois Law Impacts Retainage for Contractors

Amundsen Davis Construction Alert, September 5, 2019

OSHA Issues Final Rule on Crane Operator Certification Employer Evaluation

Amundsen Davis OSHA Alert, November 8, 2018

New Bill May Impact Your Retainage

Amundsen Davis Construction Alert, July 20, 2018

Additional Changes to A201 | 2017 AIA Document Series – Revisions to the Core Contract Documents (Part 6)

Article, October 10, 2017

B101 Owner/Architect Agreement | 2017 AIA Document Series – Revisions to the Core Contract Documents (Part 5)

Article, October 9, 2017

Insurance and Bonding Provisions | 2017 AIA Document Series – Revisions to the Core Contract Documents (Part 4)

Article, October 8, 2017

Construction

Owner/Contractor Relationship Revisions to A201 | 2017 AIA Document Series |
Revisions to the Core Contract Documents (Part 3)
Article, August 25, 2017

Notice Requirements Under the Revised A201 | 2017 AIA Document Series |
Revisions to the Core Contract Documents (Part 2)
Article, August 15, 2017

Dispute Resolution Under the Revised A201 | 2017 AIA Document Series |
Revisions to the Core Contract Documents (Part 1)
Article, July 30, 2017

OSHA Postpones New Construction Silica Standard
Amundsen Davis OSHA Alert, April 7, 2017

Events

Navigating Tariffs and Supply Chain Challenges
Speaking Engagement, USLAW, Webcast, March 25, 2025

Tenth Annual Construction Industry Legal Power Seminar
Event, Amundsen Davis, Livestream, January 23, 2025

Due Diligence Issues
Speaking Engagement, Chicago Bar Association 2024 Mechanics Liens and
Construction Claims Seminar, December 10, 2024

Ninth Annual Construction Industry Program
Event, Amundsen Davis, Webcast, February 6, 2024

Marijuana and Other Drugs
Speaking Engagement, Associated Builders and Contractors of Illinois; Webcast,
February 1, 2024

Eighth Annual Construction Industry Seminar
Event, Amundsen Davis; Virtual Livestream, February 2, 2023

NEW U.S. DOL Davis-Bacon Rule – What the Construction Industry Needs to
Know!
Event, Webcast, May 12, 2022

The ABCIL Training Trust: A No Brainer for Participation
Webcast, March 24, 2022

Complying with OSHA Standards in 2022
Webcast, March 10, 2022

Seventh Annual Complimentary Construction Industry Legal Power Seminar
Event, Amundsen Davis; Webcast, January 20, 2022

Construction

Cyber Threat Actors Have their Eyes on the Construction Industry
Event, Amundsen Davis, Webcast, November 16, 2021

Racine & Kenosha Counties – The Bridge to Wisconsin's Future
Speaking Engagement, BizTimes Media, Webcast, April 22, 2021

Changes to Medical Leave in the COVID Age
Speaking Engagement, 35th Annual DBE Workshop and Secretary's Golden Shovel Awards, Webcast, February 25, 2021

2021 Artificial Intelligence in Construction Virtual Seminar
DRI and Illinois Defense Counsel, Webcast, February 16, 2021

The Illinois Construction Industry Legal Power Seminar – Sixth Annual
A Live Streamed Seminar
Event, Amundsen Davis; Webcast, January 21, 2021

Election 2020 and the Merit Shop: How Should Merit Shop Contractors Prepare
for Upcoming DOL Policy and Regulatory Actions?
Associated Builders and Contractors' Legal and Policy Forecast Conference;
Webcast, December 3, 2020

USLAW Network Virtual Worldwide Retreat: 2021 and Beyond
USLAW Network, Webcast, September 30, 2020 - October 9, 2020

Industry Experts Fireside Chat: Construction Law
Speaking Engagement, USLAW, October 7, 2020

COVID-19: What Illinois Contractors Must KNOW and DO NOW
Event, Amundsen Davis, Webcast, April 9, 2020

Milwaukee Business Journal – Downtown CEO Roundtable
Event, Milwaukee Business Journal's Downtown CEO Roundtable, Seminar;
Milwaukee, WI, January 28, 2020

The Illinois Construction Industry Legal Power Seminar – Fifth Annual
Critical Legal Updates Impacting the Construction Industry: What You Need to
Know for 2020
Event, Amundsen Davis, Seminar; Oak Brook, IL, January 23, 2020

Construction Industry Conference
Illinois CPA Society; Chicago, IL, October 30, 2019

There's a Buzz in the Air
Drone Safety in Construction Seminar; Woodridge, IL 60517, September 26, 2019

How to Document and Terminate in YOUR Industry
Event, Amundsen Davis, Webcast, August 21, 2019

Construction

Recreational Marijuana and the Construction Industry
Speaking Engagement, Finishing Contractors Association of Illinois; Webcast,
August 8, 2019

OSHA Violations and How to Keep Your Company's Name Out of the Paper
Construction Expo & Safety Conference; Oakbrook, IL, March 19, 2019

Understanding and Negotiating Important Provisions in Construction Contracts
Finishing Contractors Association of Illinois (FCAI), Webinar, March 6, 2019

There's a Buzz in the Air - Are You Ready? Drones in Construction: A Risk and
Liability Checklist
Construction Expo & Safety Conference; Oakbrook, IL, March 5, 2019

Critical Legal Updates Impacting the Construction Industry: *What You Need to
Know for 2019*
Amundsen Davis, Seminar; Oak Brook, IL, January 17, 2019

2018 ICSC/CARW Retail Conference
Event, Potawatomi Hotel & Casino; Milwaukee, WI, April 18, 2018

CLE and Reception at Lodge Kohler
Event, Lodge Kohler; Green Bay, WI, February 28, 2018

Critical Legal Updates Impacting the Construction Industry: What You Need to
Know for 2018
The Illinois Construction Industry Legal Power Seminar – Third Annual
Amundsen Davis, Seminar; Lombard, IL, January 17, 2018

Construction Contracts: Recognizing and Understanding the Important
Provisions
Illinois Chamber of Commerce; Webinar, November 14, 2017

No Coverage? Practical Implications of Recent Wisconsin Insurance Cases on
Construction Matters
Speaking Engagement, Glacier Canyon Lodge at the Wilderness; Wisconsin Dells,
WI, June 15, 2017

The Daily Reporter's 2017 Construction Summit
Speaking Engagement, May 4, 2017

Hot Topics in Construction: Strikes and Withdrawal Liability
Mid America Regional Bargaining Association, Seminar; Lombard, IL, February 7,
2017

Construction Law Power Seminar: Critical Legal Updates Impacting the
Construction Industry: What You Need to Know for 2017
Amundsen Davis, Seminar; Lombard, IL, January 24, 2017

Construction

The Construction Industry: Shortcuts to Disaster
Illinois State Bar Association, May 13, 2016

Prevailing Wage Law - Completing the Certified Transcript of Payroll
Illinois Chamber of Commerce, Webinar, April 28, 2016

Construction Law Power Seminar: Critical Legal Updates Impacting the
Construction Industry in 2016
Amundsen Davis, Lombard, IL, February 11, 2016

Published Works

The importance of client service and relationships
Publication, *The Indiana Lawyer*, June 8, 2022

COVID Conundrum
The CLM Magazine, May 21, 2020

Court Rules on Sufficient Control - To The Extent You Litigate Injury Construction
Claims in Illinois
The Construction Claims Magazine, October 27, 2017

Blog Posts

Another Illinois Prevailing Wage Act Update: CCTV Inspection of Sewer Pipes Is
Now Covered Work
Labor & Employment Law Update, July 21, 2025

Construction Picket Lines: What Union Workers Must Know
Labor & Employment Law Update, September 13, 2024

New Changes to Illinois' Wage Payment and Collection Law Seeks to Pressure
General Contractors to Become Union Signatory
Labor & Employment Law Update, June 28, 2022

Construction Contractors Beware: Think Twice Before Paying Prevailing
Wage Assessments!
Labor & Employment Law Update, April 2, 2021

Construction Picket Lines: What Union Workers Must Know
Labor & Employment Law Update, March 16, 2021

In Case it was Ever in Doubt, the Illinois Prevailing Wage Act Now Expressly
Adopts UNION SCALE to Establish Prevailing Wage in the "Construction" Industry
Labor & Employment Law Update, June 18, 2019

Keep Calm and Be Cautiously Optimistic – Recent NLRB Developments
Labor & Employment Law Update, September 25, 2018