



AAA Mediation.org™

**FN-4314460 MN-4314460 LN-4314460,
Esq.**

Armonk, New York



Current Employer-Title A.P. Construction Company - Chief Operating Officer

Profession Managing Director, General Counsel, Executive Manager, Arbitrator, Mediator

Work History General Counsel, STO Building Group, LLC: Pavarini McGovern, LLC and Ajax Building Company, 2021-2022; President, Buildings Anywhere Inc., 2020-Present; Managing Director, Holt Construction Corporation, 2019-2020; Managing Director/General Counsel, Vidaris Inc., 2015-2019; Attorney, Peckar & Abramson PC, 2011-2015; Project Manager, Lend Lease Inc., 2005-2011; Real Estate Development Associate, Ross Holmes and Sokolow LLC, 2004-2005.

Experience Career focused on serving the construction industry, managing projects, resolving disputes, building and leading companies. Has a unique blend of construction management, real estate development, legal (both as outside and in-house counsel), operations, executive management, mediation, arbitration, and litigation experience. Has the technical expertise, hands-on field experience, business acumen, and legal comprehension to understand, navigate, and resolve construction disputes. Whether overseeing construction as a project manager, construction attorney, advocate, facilitator, neutral, or executive manager, has worked on hundreds of disputes including delay claims, design and construction defects, contractual disputes, productivity, inefficiency, health and safety, COVID-19 related claims, performance issues, liens, compliance, regulatory, code, zoning, insurance, professional liability, bonding, SDI, CCIP/OCIP, P3/JV/partnership issues, corporate disputes, sustainability, design performance, fabrication issues, bid protests, prevailing wage, and a host of other issues in the built environment.

After gaining experience with a boutique real estate development firm, joined Lend Lease in its New York healthcare group and became a project manager. Managed new construction (ground-up), renovation, and infrastructure projects with total project experience managing over \$1.5 billion. Oversaw scheduling, permitting, brownfield, environmental cleanup, demolition, foundation, sitework, utilities, structural, envelope/building enclosure, mechanical, electrical, plumbing, fire protection, roofing/waterproofing, entrances, elevators, infrastructure, tie-ins, interiors (flooring, ceilings, partitions, fit-outs, etc.), FF&E, punchlist, turnover and all facets of construction activities. Experience includes estimating, design review and development, bidding, developing scopes of work, bid leveling, client management, contract modifications, change order management (both with

subs/vendors and clients), scheduling, award, field management, trade coordination, interfacing with the design teams, consultants, regulators, public agencies, community boards, and inspectors, managing all trades and field activities, managing insurance, risk management, bonding, CCIP, and other risk related activities, project progress including schedule updates/review, costing, cost reports, fabrication, mockups, completion and turnover.

Attended law school at night, while working as a construction manager and obtained an MBA at night while managing construction companies.

Joined a national construction law firm, Peckar & Abramson, and regularly provided counsel to advocate on and resolve construction and development disputes. Experience with EPC, energy, infrastructure, transportation, rail, bridge, tunnel, road, highway, power plant, wastewater, municipal, aviation, stadium, education, healthcare, residential, commercial, P3, projects and disputes.

Joined Vidaris as its General Counsel and was promoted to manage its operations as Managing Director. Vidaris was a private equity backed consulting firm for building envelope, code, zoning, energy, sustainability, delay claim, and forensic engineering.

Joined Holt Construction, a national construction management firm, as its Managing Director to manage its operations, growth, project operations, corporate divisions, and P&L.

Joined Buildings Anywhere, a venture capital backed startup, as its President, focused on creating, developing, designing, building, and operating an innovative building system in the temporary/swing-space market for military and private sector application.

Joined the STO Building Group as General Counsel to Pavarini McGovern and Ajax Building Companies.

Currently Chief Operating Officer of A.P Construction, a division of the real estate owner/investor The Ashforth Companies.

Mediator Experience

Served as a mediator for a technical dispute with allegations of design and construction defects. The issues at hand were approximately \$30m in dispute and the parties included the relevant design team (architect, structural engineer, consultants), construction manager, concrete and envelope subcontractors, and building owner. This matter was resolved at mediation.

Served as a mediator for a delay dispute with allegations of critical path erosion, labor inefficiency, and a total cost approach. The issues at hand were approximately \$5m in dispute and a resolution was reached at mediation. The parties included a construction manager, mechanical subcontractor, and developer.

Served as a mediator for a dispute between a real estate developer and general contractor with allegations of wrongful termination, project completion costs, contract issues (late payment, poor performance), and delay. The issues at hand were approximately \$2.5m in dispute and a resolution was reached at mediation.

Served as a mediator for a fabrication and delay dispute with allegations of design, fabrication, and installation defects. The issues at hand were approximately \$20m in dispute and the parties included the construction manager, mechanical vendors/subcontractors, sureties, the building owner, mechanical engineering firm, and the architect. This matter was resolved at mediation.

Served as a mediator for a technical dispute with allegations of abandonment, delay, and poor workmanship. The issues at hand were approximately \$750k and a resolution was reached at mediation. The parties included a general contractor and home owner.

Mediator Style & Process Preferences

All disputes are resolvable although not every dispute can or should be resolved at mediation. Part of a successful mediation is flushing out and clearly communicating threshold issues, identifying strengths and weaknesses in the facts and corresponding law, and with a technical understanding of what transpired leading to the dispute. Often parties who are in a dispute cannot clearly communicate with one another and therefore are unable to accurately assess the path towards resolution. This is not a mediator who will start working each party to come down from their

position or move up towards a dollar resolution. This is a mediator who will drive towards the root causes and issues by leveraging hands-on field, project management, technical, business, legal, dispute resolution, corporate decision-making, and executive management experience. Once the issues are properly understood by all parties, this mediator will help guide the parties towards making commercially sound decisions and to give them the tools to get their stakeholders to drive towards resolution. Although sometimes resolution cannot be reached at mediation, this mediator has a high success rate, and the parties will leave the mediation if not with an outcome then with a much clearer path towards how the issues can be resolved.

Education

State University of New York (MA, Business Administration-2021); Brooklyn Law School (JD-2011); Babson College (BS, Business Management-2004).

Professional Licenses

Admitted to the Bar: New York (2011); US District Court: Southern and Eastern Districts of New York.

OSHA-10 hour and OSHA-30 hour Certified; American Society of Healthcare Engineers Construction Certified; Metropolitan Transportation Authority Track Safety Certified; New York City Supported Scaffold Certified; Port Authority of New York and New Jersey - Minority Business Enterprise Certification; American Institute of Mediation Certification.

Professional Associations

United States Green Building Council; New York County Lawyers' Association, Construction Law Committee; American Bar Association, Construction Litigation Committee; New York City Bar Association; World Cares Center - Construction Committee.

Recent Publications & Speaking Engagements

New York University Schack Institute of Real Estate and Construction Management - construction claims bane of everyone's existence?

Mediation Rate

\$495 Per Hour

Languages

English

Citizenship

United States of America

Locale

Armonk, NY

The AAA's Rules provide the AAA with the authority to administer a mediation including, mediator appointment, general oversight and billing. Accordingly, mediations that proceed without AAA administration are not considered AAA mediations, even when the parties select an mediator who is on the AAA's Roster.

The information contained in this resume has been supplied solely by the individual mediator and may, or may not, be a complete recitation of their experience. The AAA assumes no responsibility for the content, completeness, accuracy, or reliability of the information contained in a mediator's resume. If you have any questions about a mediator's experience or background, you are encouraged to contact your case manager.

Mediators on the AAA Roster are not employees or agents of the AAA.