

Construction

Overview

Our Construction & Public Contracts Practice Group has extensive experience representing and advising private and public sector clients in all aspects of construction litigation and alternative dispute resolution, public and private construction contracting and disputes, and compliance and risk mitigation.

We represent owners, construction managers, civil and heavy highway contractors, vertical contractors, subcontractors, design professionals, insurers, and sureties in complex construction matters in state and federal courts, as well as mediation and arbitration proceedings throughout New England and other jurisdictions. The members of the firm and the Construction & Public Contracts Practice Group handle all aspects of the construction process, from land acquisition and project financing to post-construction litigation and claims settlement. Our clients benefit from the firm's considerable construction-industry knowledge and litigation experience.

AREAS OF CONCENTRATION

We routinely represent clients in matters involving:

- Higher education and public works
- Contract procurement and bid protests
- Contract disputes
- Payment and performance bond disputes
- Delay, disruption, interference, acceleration, and changed-condition claims
- Differing site conditions
- Terminations
- Liquidated damages
- Cost overruns
- Construction defects
- Design defects
- Insurance coverage disputes
- OSHA investigations and compliance

© 2026 Adler Pollock & Sheehan P.C. All Rights Reserved.

Experience

- Successfully arbitrated and mediated over 100 cases as arbitrator, mediator, and party counsel including, as a recent example, a multi-million dollar, multi-party construction dispute concerning the Sakonnet River Bridge in Tiverton, Rhode Island.
- Obtained a multi-million dollar bench verdict in federal district court on behalf of an energy company against a prominent international contractor arising from substantial construction change order and delay claims. *ADP Marshall, Inc. v. Noresco, LLC*, C.A. No. 07-129ML.
- Successfully defended a general contractor and payment bond surety against a subcontractor's $10 million dollar delay and extra work claim involving a bridge repair and painting project in Southern New England.
- Successfully defended the State of Rhode Island in a $650 million dollar bid protest. *Blue Cross & Blue Shield of R.I. v. Najarian*, 865 A.2d 1074 (R.I. 2005).
- Successfully represented a general contractor in drafting and filing a bid protest for reprocurement and ultimate award of a highway and bridge repair contract in Southern New England for over $50 million dollars.
- Advised a local public agency in successfully defending against a bid protest filed by a general contractor in connection with the award of a contract for a multi-million dollar operations facility.
- Defended an electrical contractor (an affiliate of a top 5 ENR contractor) in a third-party action filed by the operator of a power station seeking defense and indemnity.
- Obtained a jury verdict for a Fortune 500 company in federal district court on a $34 million dollar claim arising from the acquisition of two power production facilities in New England. *Tiverton Power Assocs. Ltd. P'ship v. Shaw Group, Inc.*, No. CIV.A.01-10914-WGY.
- Obtained an arbitration award for over $500,000 on behalf of an owner for increased reprocurement costs and defeated the general contractor's claim for wrongful termination.
- Obtained a bench verdict for over $500,000 in state court on behalf of a demolition and abatement contractor against an owner to recover payment for additional work and the contract balance.
- Successfully represented a project owner against a mechanics' lien claim. Upon subsequent removal to federal district court, we argued on behalf of our client that any state statutory provision allowing for the unilateral voidability of arbitration provisions interferes with and is contrary to the Federal Arbitration Act, thus allowing for arbitration in the forum of our client's choice.
- Secured an important ruling confirming the subrogation rights of a contract bond surety.

Seminars/Publications

- William M. Dolan, Susan Leach DeBlasio, Erin A. Hockensmith, & Robert P. Brooks, *Money, Money, Money: How to Get it, Keep it and Pay it on Public and Private Construction Projects in Rhode Island*, October 2024.
- Richard R. Beretta & Geoffrey W. Millsom, Rhode Island Chapter of the ABA Performance Bond Manual.

Awards

The Construction Lawyers

- Listed as a recommended firm in Rhode Island, 2025.

Best Lawyers®

- Rated Tier 1 Metropolitan "Best Law Firm" by Best Lawyers®.

© 2026 Adler Pollock & Sheehan P.C. All Rights Reserved.

© 2026 Adler Pollock & Sheehan P.C. All Rights Reserved.