

Construction



CHARLES B. LEWIS

Office Managing Shareholder
Construction Law

Jenkins & Gilchrist, A Professional Corporation
225 West Washington, Suite 2600
Chicago, IL 60606-4318
(312) 425-8650 ; (312) 425-8609 *fax*
clewis@jenkens.com
www.jenkins.com

PRACTICE CONCENTRATION & EXPERIENCE

Mr. Lewis is the Office Managing Shareholder and head of the Chicago Office Construction Practice Group, which is part of Jenkins & Gilchrist's National Construction Practice Group. Mr. Lewis concentrates in the area of construction law and litigation. He represents general contractors, construction managers, owners, architects and engineers, design builders, subcontractors, and material suppliers in matters involving contract drafting, contract negotiation, breach of contract claims, claims for extras, delay, disruption, loss of productivity, excessive change orders, out-of-scope work, and claims involving mechanic's liens. Mr. Lewis is an arbitrator and mediator for the American Arbitration Association, the International Centre for Dispute Resolution, and a mediator for Circuit Court of Cook County, Court Annexed Major Case Civil Mediation Program. Mr. Lewis has again been listed in the *Best Lawyers in America* publication, and has been chosen as one of Illinois' "Super Lawyers" by the publishers of *Chicago Magazine* and *Law & Politics* in the areas of Construction Litigation, Construction Law, and Arbitration/Mediation. Mr. Lewis has also been selected by the American Research Corporation as one of the Leading Illinois

Lawyers in the area of Construction Law, and has been chosen by the Chicago Law Bulletin Publishing Company and Leading Lawyers Network as a leading lawyer in the areas of Construction Law and ADR Law. Mr. Lewis is a member of the Society of Illinois Construction Attorneys, a Fellow of the College of Commercial Arbitrators, and a member of the Design/Build Task Force of the Illinois Road and Transportation Builders Association. Mr. Lewis is also a former president of the Trial Lawyers Club of Chicago, and is a former director of the Chicago Construction and Real Estate Council.

CLIENT REPRESENTATIONS

Mr. Lewis' recent assignments include:

- Representing several Continuing Care Retirement Communities in construction contract drafting, construction contract negotiation and the construction of new facilities across the United States.
- Representing the Government of Greece in responding to and defending against \$200,000,000 in claims submitted by a consortium of 23 European contractors during construction of Lines 2 and 3 of the Athens Metro Rail System.
- Representing the contractor in its claim against the owner arising out of the construction of a prominent restaurant and retail development in Moscow.
- Representing a Taiwanese owner of a luxury hotel in Guam in two separate arbitrations against the designer and contractor arising out of the need to retrofit the building because of structural deficiencies discovered shortly before the hotel was opened.
- Representing several large international engineering and construction firms in matters before the International Chamber of Commerce in Switzerland.

- Representing the net lessee/landlord in the demolition, remediation, and reconstruction of the interior of a landmark building located next to Ground Zero in New York City.
- Representing the surety in the default of a large general contractor with projects in Pennsylvania, North Carolina and Virginia, and the bidding and reletting of those contracts as well as the prosecution of the many claims, both affirmative and defensive, which arose as a result thereof.
- Acting as construction counsel to a Chicago hospital during the design and the construction of a \$600,000,000 new facility, including the representation of its interests in an arbitration brought by a prime contractor. Subsequent representation of the same hospital during the current design and construction of a new \$400,000,000 Women's Facility.
- Representing the electrical contractor in a dispute with the design builder with respect to the replacement and modernization of approximately 74,000 streetlights for the City of Kansas City.
- Representing the electrical and mechanical contractors in a dispute with the EPC contractor arising out of the construction of a 265 megawatt gas turbine combined cycle power production facility in Tiverton, Rhode Island.
- Representing the contractor in a dispute involving the design and construction of a luxury hotel on South Beach in Miami.
- Representing a large national contractor with respect to a major telecom construction project.

EDUCATION

University of San Francisco School of Law (JD 1976)
University of Michigan (BA 1972)

PROFESSIONAL AFFILIATIONS

American Bar Association; Forum on the Construction Industry; Illinois Bar Association; Chicago Bar Association; DuPage County Bar Association; American Arbitration Association; International Centre for Dispute Resolution; College of Commercial Arbitrators, Illinois Road and

Transportation Builders Association, Design/Build Task Force; Chicago Building Congress; Associated General Contractors of America.

PRESENTATIONS

Mr. Lewis has lectured extensively on construction-related matters, including:

- claim prosecution,
- claim prevention, and
- contract terms that materially affect risk allocation between the parties.

PUBLICATIONS, ARTICLES AND SPEECHES

- Author: *The Varied Roles Of Construction Lawyers*, in LEGAL STRATEGIES FOR THE CONSTRUCTION INDUSTRY 61 (Aspatore, Inc., 2005).
- Speaker: *Dispute Resolution Methods Used In Construction Cases*, NATIONAL SOCIETY OF PROFESSIONAL ENGINEERS, 2005 Annual Convention, Chicago, July 2005.
- Author: *Doing Business In Mexico*, in CONSTRUCTOR EXECUTIVE, February 2005.
- Speaker: *To Engineer Is Human – But Who Pays For Engineering Design Problems On Transportation Construction Projects?* ILLINOIS ROAD & TRANSPORTATION BUILDERS ASSOCIATION, Chicago, February 2005.
- Author: *What's Wrong With Chicago's New General Contractor's Licensing Ordinance?*, CHICAGO BUILDING CONGRESS, THE EDIFICE, Chicago, February 2005.
- Speaker: *Dispute Resolution Methods*, CHICAGO BAR ASSOCIATION, Chicago, January 2005.
- Speaker: *To Engineer Is Human – But Who Pays For Engineering Design Problems On Transportation Construction Projects?*, THE A/E ISSUES CONSTRUCTION SUPERCONFERENCE, San Francisco, December 2004.
- Author: *Ten Tips for Making Your Mediation Successful – A View from the Mediator's Chair*,

in PRESIDENT & CEO MAGAZINE 24 (JCDX, Inc., September 2004)

- Speaker: *New Highways from Virginia to Utah and Beyond / The Road to Design-Build Success*, OWNER'S CONSTRUCTION SUPERCONFERENCE, (San Francisco, December 2003)
- Author: *Discretion The Better Part of Valor: Arbitration in Lieu of Litigation*, in PRESIDENT & CEO MAGAZINE 34 (JCDX, Inc., August 2003)
- Speaker: *Rescuing the Stalled Public Infrastructure Project – Lessons Learned from the Athens Metro – Drama, Pathos, Humor, Happy Ending*, FORBES MAGAZINE, CONSTRUCTION SUPERCONFERENCE, London, May, 2003.
- Speaker: *Arbitration: A Primer for Complex Contractual Disputes*, ABA ANNUAL MEETING, SECTION OF LITIGATION, Houston, April, 2003.
- Speaker: *Arming Your Advocates*, CONTRACTOR'S CONSTRUCTION SUPERCONFERENCE, San Francisco, December, 2002.
- Author: *In Defense of Abstinence – the World Trade Center Attack Aftermath*, CONSTRUCTION LAW NEWS, January, 2002.
- Speaker: *Partnership and Leadership: The Secrets of Successfully Managing and Overseeing the Privatized Project to Deal with the High Risk of Construction Failure and Capital Loss*, FORBES MAGAZINE WORLDWIDE INFRASTRUCTURE PARTNERSHIPS CONFERENCE, New York, June, 1998.
- Author: *The Manifest Disregard of the Law Standard of Review for Domestic Arbitration Awards*, CHICAGO BAR JOURNAL, May, 1998.
- Author: *Restrictions on Attorney Contracts with Adversary's Former Employees*, ILLINOIS LAW JOURNAL, May, 1995.
- Author: *Economic Loss Under The Law Of Tort In The U.S.*, LEGAL OBLIGATIONS IN CONSTRUCTION 386 (John Uff, ed., Anthony Lavers, ed., 1992).