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Stanley P. Sklar

Stanley P. Sklar, a member of the Construction Law Group of Bell, Boyd & Lloyd LLC, is a nationally known construction law attorney with thirty years of experience. Mr. Sklar is a Founding Fellow and past president of the American College of Construction Lawyers, an elected member of the Society of Illinois Construction Attorneys as well as the American College of Real Estate Lawyers. He is the current President of the Illinois Society of Construction Attorneys. He handles both the transactional and litigation aspects of construction law and is particularly noted for his success in applying alternate dispute resolution methods.

In 2004 he was the recipient of the ABA Forum on the Construction Industry Cornerstone Award, recognizing him for his many years of commitment and support of the construction industry. *Chambers USA, America's Leading Lawyers for Business* recently cited his prominence in the construction industry saying, "rivals extolled Stanley Sklar as 'one of the preeminent construction law practitioners in the country.'"

Construction: Mr. Sklar represents real estate developers, owners, lenders, public entities, contractors and subcontractors in all phases of the construction process. Examples of construction transactions include:

- Taisei Construction Corporation: Construction counsel involved in the negotiation of construction contracts; prepared various standard forms of owner/contractor and contractor agreements.
- Siemens Building Technology: Defended client against subcontracting claims.
- Raytheon Corporation: Represented this international construction company in construction claims in excess of \$2 million.
- Kraft Foods: Revised construction contracts relating to a range of projects including contracts for professional services, Design Build, Design Bid Build and Construction Management.
- Case Corporation: Regularly counsels this national manufacturer of construction equipment in their retrofitting of existing facilities and construction of new facilities.
- Republic of Austria: Represented them regarding the construction of its Cultural Center in mid-town New York.

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- Exterior Design Construction Company: Successfully defended this national golf course contractor against claims filed by its subcontractors.
- Bank of America: Successfully prosecuted a construction defect claim against the architect and general contractor for a suburban facility for NBD Bank, now part of Bank One.
- Rohn Industries: Negotiated Design Build Contract for its national facility for \$9,000,000 and successfully negotiated a resolution of claims that the Contractor filed against the facility.
- Oxford Partners: Represented this national operator of Wyndham Hotels regarding its renovation of hotels in Delaware and Illinois.
- Lock Up: Represent this national storage operator in the negotiation of its construction contracts for new facilities.
- Represent several major health care providers regarding the construction of new or retrofitting existing facilities.
- Act as legal counsel for the Chicago Chapter of the Construction Financial Management Association.
- Prosecuted and defended numerous mechanics lien claims and has been retained as an expert witness regarding the validity of claims under Illinois Law.
- Successfully defended a General Contractor against a \$1,560,000 mechanics lien claim filed by a subcontractor on a downtown Chicago hotel project.

Alternate Dispute Resolution: Mr. Sklar has successfully executed all key roles in the alternate dispute resolution process including arbitrator, mediator, project counsel, neutral, advocate and expert witness. He has served in these capacities in cases relating to construction contract interpretations and delay claims, design defects, change orders, underground tunneling, parking structures, procession plants as well as participating in commercial lease disputes. Notable accomplishments include:

- Member, International Division Panel of Arbitrators for American Arbitration Association
- Member, American Arbitration Association National Construction Dispute Committee
- Member, American Arbitration Association National Committee Dispute Resolution Committee
- Member, Construction Disputes Panel, CPR Center for Dispute Resolution
- Chaired more than 40 separate panels for construction cases concerning delay or construction defects claims in excess of \$1 million; panel member for arbitration case in excess of 150

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- Member of the American Arbitration Association National Training Faculty for Commercial/Construction Arbitrators.
- Certified as Mediator and Arbitrator for American Arbitration Association.
- Member National Panel for Large Complex Disputes for American Arbitration Association.
- Former Chair, Chicago Bar Association, Alternate Dispute Resolution Committee.

Mr. Sklar has served on numerous committees dealing with the construction industry, including serving a three-year term on the Board of Governors of the American Bar Association Forum on the Construction Industry. He has served as Chair of the Chicago Bar Association Real Property Committee and Chair of its subcommittee on Construction and Mechanics Liens. In his continuing efforts to handle problems of mutual concern to contractors and subcontractors, he has been a member of the Boards of Directors of the American Subcontractors Association and the Builders Association of Greater Chicago. He was the recipient of 1998 American Subcontractors Association's Lifetime of Achievement Award and its Presidents Award. He also served a three-year term as a member of the Illinois Bar Association Real Estate Law Section Council.

He served as Chair of the Construction Lending Subcommittee of the American Bar Association Real Property, Probate and Trust Committee.

His civic accomplishments include a 29-year term on the Northbrook Zoning Board of Appeals, where he served as its chair for the past fifteen years. He was General Counsel to the Northbrook Park District for seven years during which he participated in the acquisition and construction of Wood Oaks Green Park and Sportsman's Golf Course.

He is a noted construction law lecturer and regularly participates in seminars sponsored by the Illinois Institute for Continuing Legal Education, the Chicago Bar Association, the Practicing Law Institute and the American Law Institute – American Bar Association, where he lectures on issues relating to construction claims, mechanics liens, construction lending and alternate dispute resolution methods. He is also a regular speaker at the annual Construction Superconferences and NeoCon Conferences as well as other trade association groups.

Mr. Sklar serves as Adjunct Professor at the John Marshall Law School, teaching construction law and has served as an Instructor for the Oakton Community College, Architectural Technology Program.

Mr. Sklar received his undergraduate degree from the University of Illinois in Industrial Administration and his J.D. from Northwestern University School of Law.

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Recent Speaking Engagements and Publications Speaking Engagements

- Mechanical Contractors Association Executive Forum – Contract Negotiation
- Architectural PreCast Institute – Negotiating Contracts
- Association of Attorneys and Executives in Real Estate – Best Construction Practices
- ABA National ADR Training Institute – Managing the Process
- Construction Superconference – Role of Architects in Dispute Resolution
- American Subcontractors Association – The Designing Subcontractor
- ABA Forum on Construction - Warrantees in Construction
- ABA Forum on Construction – Best Practices in Arbitration
- American Arbitration Association - Advanced Construction Law for Arbitrators
- American College of Real Estate Lawyers - Construction Law for the Real Estate Lawyers
- American Subcontractors Association - Due Diligence and Contract Negotiations
- Central Fabricators Association - Managing the Construction Claims Process
- Construction Management Association - Trends in Construction Law
- Construction Superconference - Expert Testimony in Construction Disputes; Arbitrating the Construction Dispute; The Role of the Architect in Construction Disputes
- Cost Engineers Association - Risk Management in Construction Claims
- Illinois CPA Society - Due Diligence in Construction Contract Negotiations
- Illinois Institute for Continuing Legal Education - Construction Claims and Litigation (Master Teacher)
- ISH North America Intl - Negotiating Construction Contracts
- Mechanical Contractors Association - Negotiating the Subcontract; Change Order Disputes, Claims Management

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- National Glass Association - Negotiating Subcontract Agreements
- Practising Law Institute – Risk allocation in Construction (Program Chair)
- PricewaterhouseCoopers Leadership Conference - Post 9/11 Insurance and Surety Issues for Owners

Publications

- Design and Construction Contracts, Commercial Contracts, 2003
- Arbitration, Construction Law, 2002
- Selecting the Correct Delivery System and Negotiating the Right Construction Contract, Construction Law Handbook, 2000
- Arbitration of Construction Dispute, Construction Business Handbook, 2001
- A Short Guide for Construction Lenders, Practising Law Institute, 1999
- An Overview to Architect and Construction Contracts, American Law Institute – American Bar Association, 1999
- Alternative Processes for Resolving Construction Claims, Engineering News Record, "Effective Risk Allocation in the Construction Contract," NeoCon & The Buildings Show, 1994-99, (Construction Contracts, Dispute Resolution in the Construction Industry, Construction Delivery System, Delegation of Construction Design Responsibility)
- Avoiding the Knuckle Head Arbitration Award, Construction Superconference, 1998
- A Guide to the 1997 Editions of the American Institute of Architects Construction Contracts, American Bar Association, Forum on the Construction Industry, 1997
- Lead Editor of The Troubled Construction Loan
- Lead Editor and Contributor, Construction Law in Illinois (Bidding Risk Allocation in Construction Contracts, an Overview of the Illinois Mechanics Lien Act) and Mechanics Liens in Illinois (Subcontractor Claims, Special Remedies), Illinois Institute for Continuing Legal Education
- Use of Tandem Experts, American Arbitration Association, Currents, 1996
- Advanced Arbitration: Lessons Learned!" Construction Superconference, 1994

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- "Construction Contracting for Public Agencies," Ill. Assn. of Park Districts, 1993
- "Partnering: A noble experiment doomed to fail?" Dodge Construction News, 1993
- "Shop Drawing Liability," Dodge Construction News, September 28, 1992
- Allocation of Risk in Construction, Aspen Publications
- Negotiating the Contractors Agreement – The Owners View, Aspen Publications
- Project Delivery Systems, Aspen Publications

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