



Christopher L. McCloskey

Partner & Public Sector Industry Group Chair



Chris McCloskey is chair of Bricker & Eckler's Public Sector industry group and is a partner in the Construction Law group. He focuses his practice on construction-related contracting and disputes, as well as general business and litigation. He is experienced in researching and drafting motions for construction lawsuits, preparing and reviewing construction contracts, construction claims, change orders, purchase orders, project analysis, mechanic's liens, bid strategy and project coordination. He represents school districts with all facets of their capital projects with the Ohio Facilities Construction Commission. Chris is a former staff attorney to Judge Nodine Miller of the Franklin County Court of Common Pleas, where he drafted legal opinions and managed the court's civil docket. In addition, he worked as a district engineer for Economy Forms Company, designing steel systems to form concrete structures.

CONTACT INFORMATION

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Bar Admissions & Activities

- Admitted, State of Ohio, 2000
- Admitted, State of Florida, 2002
- Admitted, U.S. District Court, Southern District of Ohio, 2002
- Member, Columbus Bar Association
- Member, Ohio State Bar Association
- Member, Florida Bar Association
- Member, American Bar Association

Education

- Capital University (J.D.) 2000; Staff member and executive research editor, *Capital University Law Review*; Member, Order of the Curia
- The Ohio State University (B.S. in Civil Engineering), 1996

Awards & Recognition

- Listed, *Best Lawyers in America* (Construction Law), 2018–2023
- Recognized, *ChambersUSA*, Construction with a Band 4 ranking, 2021-2022
- Recognized, *ChambersUSA*, Construction with a Band 4 ranking, 2015–2016

INDUSTRIES & PRACTICES

Business Law
Public Sector
Litigation
Construction
Education (Pre-K to 12)

As a partner in our construction group and our public sector industry group leader, Chris has a deep knowledge of the law and our clients' needs. He is forward-thinking and proactive in both his practice and in his leadership role.

Jack Rosati, construction law group chair



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Presentations & Published Works

- Speaker, "Specific Claims - Changes in Project Design & Scope, Preconstruction", Top Gun Construction Claims Seminar, November 2020
- Speaker, "Specific Claims - Defective and Non-Conforming Work", Top Gun Construction Claims Seminar, November 2020
- Speaker, "School Facilities & Construction", OASBO Essentials of Business Operations, October 2020
- Speaker, "Project Budgets, OFCC Maintenance Fund", OASBO School Finance Workshop, September 2020
- Speaker, "You Don't Always Bid What You Want", BASA New Superintendents Transition Program, September 2020
- Speaker, "Bidding Requirements for Public Construction Contracts", Selecting Project Delivery Models and Bidding for Public Construction Contracts, May 2020
- Speaker, "Bidding Contracts, 412 Certificates", OASBO Bootcamp, July 2020
- Speaker, "Real Property Issues for Schools," BASA School Facilities Conference, March 2016
- Speaker, "Bidding, Purchasing and Contracting," Ohio Municipal League Newly Elected Counsel Seminar, February 2016
- Speaker, "Specific Claims – Lien & Bond Claims and Errors & Omissions," Top Gun Construction Claims Seminar, November 2015
- Speaker, "Evaluating and Documenting the Bid Review Process, Bidder Protests and Litigation," Selecting Project Delivery Models and Bidding for Public Construction Contracts in Ohio, May 2015
- Speaker, "School Construction Issues and Claims," BASA School Facilities and Safety Conference, March 2015
- Speaker, "Third Party Claims – Mechanic's Liens; and Owner Claims: Addressing Defective Work," Top Gun Construction Claims Seminar, November 2014
- Speaker, "Payment and Performance Surety Bonds in Construction Projects: Perspectives of Owners, Contractors and Sureties," Strafford Publications Webinar, August 2014
- Speaker, "Evaluating and Documenting the Bid Review Process, Bidder Protests and Litigation," Selecting Project Delivery Models and Bidding for Public Construction Contracts in Ohio, May 2014
- Speaker, "Financing and Bonding Issues for Contractors," Builder's Exchange of Central Ohio, annually in November
- Speaker, "Ethics/Professional Responsibility," Capital University, annually in April
- Speaker, "Contracting 101," Builder's Exchange of Central Ohio, annually in January
- Author, "Lien on Me," Columbus Bar Association *Bar Briefs*

Professional & Community Activities

- Class of 2012, The Tunnell Leadership Development Program



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Experience

Private developer contracts

Prepared architect, contractor and design-builder agreements for private developer.

Mechanic's liens statutory process and claims

Represented school district in administration of statutory process relating to mechanic's liens and addressed mechanics' lien claims and related law suits for K-12 school projects.

Faulty roof construction

Successfully represented a library in a lawsuit against six companies responsible for the faulty design and construction of the heavy timber frame roof of the library with damages estimated at \$1.8 million.

School district bus warranty

Represented a K-12 school district regarding school bus warranty issues.

Waiver of competitive bidding

Prepared resolutions and contract documents for projects deemed to be of urgent necessity, including air quality improvement, elevator repair, HVAC, and fire alarm projects for libraries and K-12 school districts.

Defective work

Represented a school district client to address defective work.

Correction of masonry issues

Served as construction counsel to a school district for its new K-12 school building, constructed through the Ohio School Facilities Commission's Classroom Facilities Assistance Program. Masonry issues were identified in the completed building, and we assisted the district in determining its cause and developing a plan to correct the defect.

\$50 million school district capital improvement program

Assisted a school district with procurement and construction issues related to a \$50 million district-wide capital improvement program, which included renovations and additions to all existing school buildings.



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Procurement and construction counsel

Provided procurement and construction counsel services to a city school district throughout phased additions and renovations to an existing school building, as well as a district-wide master planning and programming process that identified facility needs throughout the district and defined a plan for future improvements.

Construction and procurement assistance

Worked with a local school district on construction and other procurement matters, providing assistance with selection of project teams, preparing professional agreements and contract documents, and working through project issues.