

Brian J. O'Rourke, Jr.

Partner

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Brian focuses his practice on the representation of owners, construction managers, and contractors in the building, energy, and infrastructure construction industries. His work includes contract negotiation, civil litigation, claims management and analysis, arbitration, and public and private procurement.

Brian provides advice and consultation concerning numerous building, civil, and energy construction and design contracts. Brian first chaired and assisted lead counsel in a major design defect litigation representing the Massachusetts Convention Center Authority against the designers of the Boston Convention and Exhibition Center in a case that settled after five weeks of trial, in favor of the client, for more than \$22 million.

Brian has served as lead counsel in construction-related litigation and arbitration and also participated in numerous mediations and dispute resolution sessions. He is a registered professional engineer in Massachusetts and a LEED AP (New Construction), and worked for six years as a civil engineer prior to becoming a lawyer. Brian's clients find that his engineering background helps him quickly understand technical project issues in a cost-effective manner. Brian lectures regularly on various construction law topics and serves as an adjunct instructor at Worcester Polytechnic Institute, responsible for teaching a graduate-level course on construction law. He is the author of the *Lexis Practice Advisor* section on construction contracts and has written numerous articles on construction law topics. Brian worked as an assistant district attorney in Middlesex County, Massachusetts, for two years, where he gained valuable jury trial and courtroom experience.

Brian lives in Boston with his wife, Helen, an in-house corporate attorney, and their two teenage children. Brian and his family enjoy sailing on Cape Cod, skiing in Vermont, and hiking and camping in Maine and New Hampshire. Brian is a nine-time rider in the Pan-Mass Challenge.

Education

- Boston College Law School (J.D.)

Services/Industries

- Construction
- Litigation & Trial
- Construction Litigation

- Cornell University (M.S.)
- Worcester Polytechnic Institute (B.S.)

Bar Admissions

- Massachusetts

Memberships

- Massachusetts Bar Association
- American Society of Civil Engineers (ASCE)
- Boston Society of Civil Engineers Section (BSCES), former Chair of Engineering Management Group

Court and Other Admissions

- U.S. District Court for the District of Massachusetts

Publications & Podcasts

January 11, 2021

Finding Teeth in Massachusetts' Prompt Payment Act

April 2, 2020

Massachusetts COVID-19 Essential Services as they Relate to the Construction Industry

September 27, 2018

Trick or Treat? Popular AIA 2007 Design and Construction Contracts No Longer Available After October 31, 2018

May 24, 2017

AIA Issues Updated Construction and Design Contracts