



Peter D. Welin

**Member; Board of Directors Columbus Managing Member
Columbus**

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Practice Focus

- Construction litigation
- Government contracting and procurement
- Real estate litigation
- Insurance and suretyship
- OSHA appeals and workplace safety

Pete is managing member of McDonald Hopkins’ Columbus office, co-chair of the firm’s Construction Practice Group, and a member of the firm's Board of Directors. He has focused his practice for the last 30 years on public/private construction contract law, construction contracts, and government procurement law, representing contractors, design professionals, owners, sureties and subcontractors. Before joining McDonald Hopkins, Pete was a founding member of Welin, O’Shaughnessy + Scheaf LLC (WOS), a boutique law firm specializing in construction law, complex business litigation and oil and gas litigation. Prior to starting the firm, Pete held management positions at a Midwestern-based Am Law 200 firm, where he served as vice chair of the construction practice group and administrative partner in charge of the firm’s Columbus office.

Before entering the legal field, Pete worked as a project engineer for Turner Construction Company on high rise building projects in Chicago, Indiana and Ohio. Pete also provides partnering facilitation, mediation and arbitration services to construction industry participants in a wide variety of settings.

Pete earned his J.D. from The Ohio State University Moritz College of Law in 1988. He received a B.S.C.E. from Iowa State University in 1979.

Representative Cases/Matters

- Represented a sewer line contractor with significant claims against a public utility in northeastern Ohio involving the installation of a deep sewer in a populated area with multiple utility conflicts and challenging soil conditions while utilizing horizontal directional drilling methods.
- Represented a mechanical contractor with eight figure claims against a Fortune 100 engineering and manufacturing company involving a \$60 million design build natural gas conversion project.
- Represented a supplier of overland conveyors involving claims on an iron ore mine project in Quebec, Canada.
- Represented a heavy/highway/site improvement contractor with multi million dollar claims involving the construction of an upland reservoir.

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- Represented a pipeline contractor in a dispute with a pipeline project in the Utica shale area of eastern Ohio.
- Represented a contractor against a developer to recover damages involving tenant improvement work.
- Represented a service disabled veteran owned business to rescind a termination for default and permit the contractor to complete the project.
- Represented a steel fabricator with claims against an Austrian-based supplier of plants, equipment and services for hydropower stations, the pulp and paper industry and the metalworking and steel industries involving a stainless steel manufacturing plant in Kentucky.
- Represents and assists various owners and contractors in drafting design and construction contracts.
- Represented a contractor with claims against the State of Ohio arising out of renovations at Youngstown State University the first case in Ohio to recognize the Eichleay formula.
- Represented a contractor with claims on an internationally acclaimed art museum project.
- Member of a Dispute Review Board on a \$125 million urban interchange project.
- Represented a design engineer involving claims for delay on a bascule bridge project.
- Represented a national engineering firm against claims on a segmental, cast-in-place bridge project in North Carolina.
- Represented a national engineering firm against claims on a 5 mile long tunnel project.
- Represented an Owner with claims on a \$100 million EPC project involving additions to an existing manufacturing/process facility in eastern Ohio.
- Represented a contractor with claims against the State of Ohio related to the cumulative impact of multiple changes.
- Represented a steel fabricator with multi-million dollar claims related to the supplying of steel trusses for the American Airlines Terminal at JFK International Airport.
- Represented a design builder with claims on a \$100 million guaranteed maximum price school renovation project in New Hampshire.
- Represents contractors with bid protests on public construction projects..
- Represented a manufacturer involved in litigation regarding mold and mildew.
- Represented a bridge contractor on a multi-million dollar claim for extras involving the construction of a bridge.
- Represents contractors with claims on complex public works projects for the State of Ohio, Department of Administrative Services and The Ohio State University.
- Represented a construction manager in a multi-million dollar dispute with a private owner involving a guaranteed maximum price agreement.
- Represents contractors with claims on federal procurement contracts before various Boards of Contract Appeals.
- Regularly appointed as a mediator/arbitrator on construction related claims and litigation.
- Represents contractors involved with Ohio Schools Facilities Commission projects.

Admissions - Court

- U.S. District Court for the Southern District of Ohio
- U.S. District Court for the Northern District of Ohio

Peter Welin

- U.S. Court of Appeals for the 6th Circuit
- U.S. Court of Appeals for the 3rd Circuit
- U.S. Court of Appeals for the 4th Circuit
- U.S. Court of Appeals for the Federal Circuit

Admissions - State

- Ohio

Education

- The Ohio State University Moritz College of Law
- Iowa State University

Honors and Awards

- Designated "Lawyer of the Year" in Columbus for Construction Law by *Best Lawyers in America* (2012, 2018, 2021)
- Martindale-Hubbell Legal Network Peer Review Ratings, Central Ohio Top Lawyer (2017)
- Martindale-Hubbell AV Preeminent Peer Review Rated
- Listed in *Who's Who Legal: Construction* (2014)
- Selected for inclusion in *Ohio Super Lawyers* (2002-2018, 2020)
- Named one of the *Best Lawyers in America* (2003-2021)
- Listed in *Who's Who in International Construction Law* (2004-2012)
- Named leader in Ohio Construction - *Chambers USA* (2003-2011, 2014-2020)
- *Columbus Business First*, Columbus' Top Lawyers (2004, 2011)
- Listed as one of the Top 50 Lawyers in Columbus, Ohio by *Super Lawyers* (2014)

Professional Membership

- American Bar Association – Public Contract Law Section Forum on the Construction Industry
- American Arbitration Association – Construction Industry Panel Member
- Ohio State Bar Association
- Columbus Bar Association – Construction Law Committee
- Associated General Contractors of Ohio
- Ohio Contractors Association
- Builders Exchange of Central Ohio
- Ohio Oil and Gas Association
- Charter Fellow in the Construction Lawyers Society of America, an invitation-only, selective and limited-membership international association of the world's best construction lawyers.

Alerts

- OSHA issues COVID-19 case reporting relief for contractors

- Ohio Department of Transportation advisory to all prime contractors
- Update on Ohio's construction statute of repose application to tort and contract claims
- Appellate court rejects argument that contractor waived claim by failing to comply with Article 8 notice requirements
- OSHA stepping up enforcement of silica in construction standard
- Ohio House introduces bill to protect general contractors
- Victory for construction contractors: Ohio Supreme Court rules that construction statute of repose applies to both tort and contract actions
- Appellate court holds Ohio's construction statute of repose applies to breach of contract and tort claims
- Hundreds of Ohio EDGE Certifications called into question after investigation by Ohio Inspector General
- OSHA Update: Record keeping and required postings
- Ohio Supreme Court holds that general contractor's insurance policy does not cover defective work performed by subcontractors
- OSHA increases excavation and trenching enforcement
- Construction trade organizations file brief in Ohio Supreme Court on statute of repose
- Ohio EPA issues new construction storm water general permit
- Ohio contractors: Ensure compliance with public bidding and contracting laws or risk not being paid
- Federal appellate court upholds OSHA's stringent silica in construction standard
- Ohio's construction statute of repose still only applies to tort claims
- Enforcement of OSHA's silica in construction standard begins under interim enforcement memorandum
- OSHA's new silica safety standard imposes additional burdens on contractors
- Proposed accounting rule could have unintended consequences for construction companies
- What is covered under a contractor's CGL policy?

Blog Posts

- Daily reports can make or break your next claim
- Steps to take before, during, and after an OSHA inspection
- Checklist for pricing construction project change orders and claims
- Don't neglect or forget to review contract forms included in RFPs
- Understanding the distinction and consequences of contingent payment clauses
- The importance of using written contract and PO forms
- COVID-19 antibody test kits advisory and checklist
- Coronavirus-related construction delays and force majeure provisions in industry-standard contracts
- Ohio's "Stay at Home" Order regarding construction- issues and interpretations may cause confusion
- OSHA Guidance – When is COVID-19 a recordable illness?
- Recommendations for proper back charges on commercial construction projects
- An overview of Ohio's EDGE program following an investigative report by the inspector general
- Fifth District publishes new interpretation of Ohio's construction statute of repose
- Mechanic's lien update: What is waived and what can you recover?
- Compromise Unemployment Compensation Plan to serve as stop gap until solvency solution is determined
- Spearin Doctrine is alive and well: Court determines that it applies to construction managers at risk

News

- Lawyer of the Year honorees Riley and Welin among 42 McDonald Hopkins attorneys recognized as 2021 Best Lawyers
- McDonald Hopkins recognized in Chambers USA 2020 Rankings
- 41 attorneys from McDonald Hopkins recognized as 2020 Best Lawyers®
- McDonald Hopkins recognized in Chambers USA 2019 rankings
- McDonald Hopkins attorneys successfully defeat petition for certiorari in FCA case before US Supreme Court
- McDonald Hopkins Recognized by Chambers USA 2018
- 22 attorneys at McDonald Hopkins named 2018 Ohio Super Lawyers and Rising Stars
- 35 attorneys at McDonald Hopkins selected for inclusion in Best Lawyers® 2018
- McDonald Hopkins Recognized by Chambers USA 2017
- Matthew Rechner, Owen Quinn and Peter Welin promoted to practice group leaders at McDonald Hopkins
- 39 attorneys at McDonald Hopkins selected for inclusion in Best Lawyers 2017
- 24 attorneys at McDonald Hopkins named Ohio Super Lawyers and Rising Stars
- 41 attorneys at McDonald Hopkins selected for inclusion in Best Lawyers® 2016
- Seven McDonald Hopkins Attorneys Recognized by Chambers USA 2015
- McDonald Hopkins moves to a new home in the Arena District

External Publications

- Quoted, "High Court Won't Hear FCA Dispute Over Watershed Use," Law360, January 7, 2019
- Co-Author, Baldwin's "Ohio Construction Law Manual," published by Thomson Reuters, 2009
- Co-Author, "Ohio Public Contract Law and Construction Claims," 1994

Events

- Countermeasures against organizational and economic distress | Wednesday, July 29, 2020
- Cumulative impact claims and how to present them or defend against them | Wednesday, March 18, 2020
- Charting the Course and Navigating Through Treacherous Waters | Tuesday, March 3, 2020
- Contractors at risk: What's next after Ohio Supreme Court decision on insurance coverage for defective work | Tuesday, December 11, 2018

Speaking Engagements

- "Litigation Budgets, Alternative Fee Arrangements and Legal Project Management," ABA's Forum on the Construction Industry Annual Meeting, 2017
- "Masters Institute on Ohio Construction Law, Tools for Success," 2010
- "Tricks, Traps and Ploys in Construction Scheduling," Lorman Education Services, 2006, 2004
- "Understanding The Construction Process From The Developer's Perspective," Lorman Education Services, 2005
- "Comprehensive Guide to Resolving Construction Disputes," Lorman Education Services, 2004, 2005
- "Construction Management/Design Build in Ohio," Lorman Education Services, 2004

- “Construction Trends for Public Entities,” Lorman Education Services, 2004
- “Ohio Construction Defect and Mold Seminar,” Lorman Education Services, 2004
- “Proving and Defending Delay Claims,” Lorman Education Services, 2003
- “Law for Design Professionals,” Lorman Education Seminar, 2002
- “Understanding Construction Delay and Disruption Claims: Being Proactive Toward Resolution,” Lorman Education Services, 2000
- “Architect/Engineer Liability and Practice in Ohio,” Lorman Education Services, 2000
- “Construction Project Management: Proving Claims, Resolving Disputes,” Cambridge University Institute, 1999
- “Mechanics’ Lien Law and Strategies in Ohio,” National Business Institute, 1999
- “Ohio Construction Contracting for Public Entities,” Lorman, 1999
- “Construction Payment Remedies In Ohio,” National Business Institute, 1998
- “Litigation of Construction Claims,” Lorman Education Services, 1997
- “Ohio Construction Claims and Mechanics’ Lien Law,” Lorman Education Services, 1996
- “Claims and Other Key Construction Industry Concerns in Ohio,” Cambridge University Institute