



## Charles F. Kenny

Partner

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## BIO

Charles F. Kenny is a Partner in Peckar & Abramson's New Jersey office. His background is in construction contracts and legislation affecting the construction industry. Charles serves as counsel to the Associated Construction Contractors of New Jersey and served as an adjunct professor in the Department of Engineering Technology at the New Jersey Institute of Technology. He has published articles on the New Jersey Construction Lien Law and other construction issues, and is the author of the chapter entitled "Construction and Development" in Commercial Real Estate Transactions in New Jersey, published by the New Jersey Institute for Continuing Legal Education. Charles is frequently a featured speaker and lecturer for that organization, as well as for the Associated Construction Contractors.

Significant published decisions include: Siemens Westinghouse Power Corporation vs. Dick Corporation, 293 F. Supp 2d 336 (S.D.N.Y. 2003); Craft vs. Stevenson Lumber Yard, Inc., 179 N. J. 56 (2004); Labov Mechanical Inc. vs. East Coast Power, L.L.C., 377 N. J. Super 240 (App. Div. 2005); Williams Scotsman, Inc. vs. The Garfield Board of Education, 379 NJ Super 51 (App. Div. 2005); Benmore Construction Group vs. Herod Rutherford Developers, LLC, 2009 N.J. Super. Unpub. LEXIS 2874 (App. Div. 2009); L&H Construction Company, Inc. vs. Circle Redmont, Inc., 55 So. 3rd 630 (Florida 5th DCA 2011); Brockwell & Carrington Contractors, Inc. vs. Dobco, Inc., 2013 WL 6800074 (N.J. App. Div. 2013).

Charles is admitted to practice in the states of New Jersey and New York, the United States Supreme Court, the United States Court of Federal Claims, the United States Courts of Appeals for the Second and Third Circuits and the United States District Courts for the District of New Jersey and the Southern and Eastern Districts of New York. He is a member of the American Bar Association and the ABA Forum on the Construction Industry, as well as the New Jersey State Bar Association and its section on Construction Law of which he served as chair for a number of years. Charles received his Bachelor of Arts degree from Georgetown University and his law degree from Fordham Law School.

# HIGHLIGHTS

## ADMISSIONS

- State of New Jersey
- State of New York
- United States District Court for the Districts of New Jersey
- United States District Court for the Southern District of New York
- United States District Court for the Eastern District of New York
- United States Court of Appeals for the Second and Third Circuit
- United States Court of Federal Claims
- United States Supreme Court

## EDUCATION AND COURSES

- Georgetown University, B.A.
- Fordham Law School, J.D.

## PRACTICE AREAS

- Construction and Infrastructure
- COVID-19 Task Force
- Government Contracts

## MEMBERSHIPS

- America Bar Association (Forum on the Construction Industry)
- New Jersey State Bar Association (Construction Law Section, co-chair, 2006-2009)

## AWARDS AND RECOGNITIONS

- *Chambers USA*, Construction Law, New Jersey, 2020-2024
- *ALM & Martindale-Hubbell* "New York Top-Rated Lawyers", 2019-2020
- *Who's Who Legal* - Thought Leader: USA, 2024-2025
- *Who's Who Legal* - Thought Leader: Construction, 2022-2023
- *Who's Who Legal*: Construction
- *New Jersey Super Lawyers*, 2007-2025
- *New York Metro Super Lawyers*, 2007-2024
- *Best Lawyers*, 2007-2025
- *Best Lawyers*, "Lawyer of the Year" in Construction Law – Hackensack region, 2016, 2018, 2020, 2024
- *Best Lawyers*, "Lawyer of the Year" in Construction Law – Newark region, 2013
- *Best Lawyers*, "Lawyer of the Year" in Litigation – Construction – Hackensack region, 2017
- *Best Lawyers*, "Lawyer of the Year" in Litigation – Construction – Newark region, 2014
- *Bergen Magazine*, Top Lawyer - Construction, 2020-2024
- *New Jersey Law Journal* Professional Excellence Award, Mentor, 2019
- *Martindale-Hubbell* AV Preeminent Rated

## PUBLICATIONS AND PRESENTATIONS

- "Getting County Public Works Construction Right: Bidding, Procurement, & Compliance," 72nd NJAC Annual Conference, May 2023 (Presenter)
- "Hot Topics in Construction Law," New Jersey Institute for Continuing Legal Education, December 2022 (Presenter)
- "2022 Construction Law Forum," New Jersey Institute for Continuing Legal Education and NJSBA Construction Law Section, June 2022 (Panelist)
- "Design Build: General Considerations When Using Design Build: Part 2," ACCNJ, October 2021 (Co-Presenter)

# HIGHLIGHTS CONTINUED

- “Design Build Construction Services Procurement Act: Part 1,” ACCNJ, October 2021 (Co-Presenter)
- “Material Price Escalation – Strategies for Existing and Future Contracts,” ACCNJ, June 2021 (Co-Presenter)
- “The Intersection of Construction Law and Bankruptcy Law – Resolving the Dilemma,” NJICLE Webinar, February 2021 (Speaker)
- “Construction Disputes: A Three Part Series, Session 2,” P&A Webinar, October 2020 (Speaker)
- “2020 Construction Law Forum,” NJICLE Webinar, June 2020 (Speaker)
- “Public-Private Partnership Educational Seminar,” P&A, AIA and ACCNJ Seminar, October 2018 (Speaker)
- “A Guide to Construction Liens in New Jersey,” *Law360*, January 2018 (Co-Author)
- “2017 AIA 201 General Terms and Conditions,” ACCNJ Construction Law for Construction Professionals, October 2017 (Speaker)
- “The Intersection of Construction Law & Bankruptcy Law: Resolving the Dilemma,” New Jersey State Bar Association Conference, February 2017 (Speaker)
- “Home Office Overhead – Attempting to Absorb Unabsorbed Costs,” New Jersey State Bar Association’s Construction Law Section CLE Dinner Meeting, January 2017 (Speaker)
- “What Contractors Need to Know About the Changing Climate of EEO and DBE Compliance Requirements in State and Federal Contracts,” NJ State Bar Association Seminar, May 2016 (Speaker)
- “Sit Conditions: Are They Different?,” P&A and Langan Engineering Panel Discussion, April 2016 (Panelist)
- “Contractors Beware: Remedies Available to Contractors for Non-Payment on P3 Projects,” New Jersey State Bar Association (NJSBA) Annual Meeting and Convention, May 2015 (Speaker)
- “Construction Liens: Problems and Pitfalls,” Associated General Contractors of New Jersey (ACCNJ), April 2015 (Speaker)
- “The Lien Fund Concept, Law Revision Commission Changes/Priorities and the Allocation of the Lien Fun,” New Jersey Institute for Continuing Legal Education (NJICLE) Seminar, February 2015 (Moderator)
- Construction Financial Management Association (CFMA) Third Annual Education Symposium, October 2014 (Speaker)
- “New Jersey Court Providers “Patch” For General Contractors When Their Indemnity Claims Against Subs Are Barred By Statute Of Repose,” *Mann Report*, April 2014 (Co-Author)
- “New Jersey Construction Lien Law 2013: Recent Revisions and Case Law,” NJICLE Seminar, March 2013 (Speaker)
- “Fee Shifting in Construction Disputes: A Movement Building,” *New Jersey Law Journal*, June 4, 2012
- “New Jersey,” *State-By-State Guide to Architect, Engineer, and Contractor Licensing*, second edition, Aspen Publishers, 2011 (Contributing Author)
- “Construction and Development,” *Commercial Real Estate Transactions in New Jersey*, third edition, New Jersey Institute for Continuing Legal Education, 2010 (Contributing Author)
- “Sword or Shield, or Both? The Consumer Fraud Act in Construction Litigation,” *New Jersey Law Journal*, October 18, 2010
- Construction Law, New Jersey Practice, vol. 41, contributing author and sole author of yearly updates
- State By State Guide to Architect, Engineer, and Contractor Licensing, New Jersey Chapter