



PATRICK J. GREENE, JR.

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PARTNER

Patrick J. Greene, Jr. is a partner and co-chair of Peckar & Abramson's Government Contracting & Infrastructure Practice, leading the firm's state and local government contracting efforts. In over 30 years of practice, Pat has advised some of the nation's largest construction contractors regarding performance and compliance issues in contracting in the public and private sectors, including, especially, federal government contracting.

He has prepared, litigated and resolved numerous complex extra work, delay and impact claims on domestic and international construction projects. He also has advised and presented defenses against subcontractor claims and against defective work and delay claims asserted by owners and others. Notably, Pat successfully presented the seminal Construction Lien Law case before the New Jersey Supreme Court, and tried one of the largest, most complex cases in the history of the United States General Services Board of Contract Appeals (GSBCA). As a result of representing numerous federal contractors, Pat is especially knowledgeable regarding the Federal Acquisition Regulation (FAR).

An important consideration in defense against defective construction work claims is the availability and application of insurance coverage under commercial general liability, professional malpractice and subcontractor default insurance policies. Pat and his team are well versed in the complexities of obtaining coverage for occurrences involving construction defects under standard and nonstandard insurance provisions. They also advise regarding the establishment and maintenance of insurance programs, including issues of cost recovery and disclosure under pertinent contract provisions and regulations, such as the FAR cost principles.

A significant aspect of Pat's practice involves advising construction and non-construction clients regarding allegations under the False Claims Act and defending against such claims in multiple jurisdictions. Pat has defended construction contractors, medical service providers and product suppliers/installers against False Claims Act allegations asserted by U.S. Attorney's offices, the U.S. Department of Justice and Qui Tam relators throughout the United States and has represented contractors in related debarment and suspension administrative proceedings. Pat's cases have included the representation of insureds through specialized insurance programs that provide for the defense of false claims actions.

Drawing upon his extensive experience in representing government contractors in day-to-day performance issues, claims presentation and litigation and False Claims Act proceedings, Pat advises

BIOGRAPHY **CONTINUED**

and helps clients implement compliance programs, contracting procedures and cost-recovery systems that allow contractors to perform their contracts in a compliant, yet profitable, manner.

Pat has presented numerous seminars involving construction litigation, False Claims Act Defense and Government contracting and published numerous articles, including: "Stimulus Funds," Building & Construction Northeast, Fall 2009; "The New Stakes in Doing Business with the Federal Government," Construct!, Summer 2007; and "Defending a Civil False Claims Act Case: Practical Considerations," American Bar Association (ABA) Forum on the Construction Industry, September 2007. He is also one of the editors of Construction Accounting – A Guide for Attorneys and Other Professionals, American Bar Association, 2010. A representative list of Pat's articles and presentations can be found [here](#).

Pat has been recognized as a leading construction lawyer by Best Lawyers, The International Who's Who of Construction Lawyers, and New Jersey and New York Super Lawyers. He is the immediate past co-chairman of the Construction Litigation Committee of the Litigation Section of the American Bar Association and past co-chairman of the New Jersey State Bar Association Construction and Public Contract Law Section.

Pat is a graduate of St. Peter's College and the Georgetown University Law Center.

HIGHLIGHTS

ADMISSIONS:

- State of New Jersey
- State of New York
- Supreme Court of New Jersey
- New York Supreme Court — Admitted in Third Department
- United States District Court for the District of New Jersey
- United States Court of Federal Claims
- United States Court of Appeals for the Federal Circuit (by admission to the former U.S. Court of Claims)
- United States Court of Appeals for the Third Circuit
- United States District Court for the Southern District of New York
- United States District Court for the Eastern District of New York

EDUCATION:

- St. Peter's College, B.A.
- Georgetown University Law Center, J.D.

PRACTICE AREAS:

- Construction and Infrastructure
- Government Contracts
- Construction Dispute Resolution
- COVID-19 Task Force
- International Construction and Infrastructure
- Corporate Compliance and Integrity Counsel
- Public-Private Partnerships
- Power and Industrial Facilities/EPC

HIGHLIGHTS **CONTINUED**

MEMBERSHIPS:

- Construction Litigation Committee of the Litigation Section of the American Bar Association, past co-chairman and past publications editor
- New Jersey State Bar Association Construction and Public Contract Law Section, past co-chairman

AWARDS AND RECOGNITIONS:

- *Chambers USA*, Construction Law, New Jersey, 2020 - 2021
- *Best Lawyers*, 2007 - 2021
- *Best Lawyers* "Lawyer of the Year" in Litigation - Construction - Hackensack region, 2021
- *Who's Who Legal: Construction*
- *New Jersey Super Lawyers*, 2007 - 2021
- *New York-Metro Super Lawyers*, 2009-2019
- *Bergen Magazine*, Top Lawyer - Construction, 2020

PUBLICATIONS AND PRESENTATIONS:

- "2021 Construction Law Forum," New Jersey Institute for Continuing Legal Education and NJSBA Construction Law Section, June 2021.
- "Federal Government Contracting: Year in Review-Construction Edition," Peckar & Abramson Webinar, January 2021.
- "Federal Government Contracting: Year in Review," Peckar & Abramson Webinar, December 2020.
- "Representations and Certifications: Implementing Processes to Protect Executives and the Company," *Construction Executive*, July 2020.
- "Analysis- Virus Related Legal Issues," *Third Thursdays with the Construction Super Conference (CSC)*, July 2020.
- "COVID-19 Site Safety Protocols and Revised OSHA Enforcement Guidance," South Florida AGC Webinar, June 2020.
- "Going Back to Work – Starting or Restarting a Construction Project During the Pandemic," *Peckar & Abramson Client Alert*, May 2020 (co-author)
- "COVID-19 Damage and Time Recovery: Contract Checklist and Analysis," *Peckar & Abramson Client Alert*, April 2020.
- "You've Been Suspended - Were You Ready?" *Peckar & Abramson Client Alert*, March 2020 (co-author)
- "But the Termination Is Not Convenient: Use of the Termination for Convenience Clause and Determining Costs Arising in a Termination for Convenience", Construction SuperConference, December 2019.
- "Fundamentals of Construction Law: Learning from the Pros," presented by the American Bar Association, November 2016.
- "Site Conditions: Are They Different?" presented with Langan Engineering, September 2016.
- "Yes, You Can Try a Construction Case: Planning and Handling a Construction Trial from Voir Dire to Closing Argument," ABA East Coast Regional Construction Trial Program, March, 2016.
- "Asserting, Proving and Quantifying Subcontract Claims," *Construction Subcontracting: A Comprehensive Practical and Legal Guide*, May 2014.
- "Construction Law Basics," West Orange, NJ, March, 2014.
- "Ethical Lapses and Criminality in Construction Procurement and Staffing," Construction SuperConference, December, 2013.

HIGHLIGHTS **CONTINUED**

- *Construction Accounting: A Guide for Attorneys and Other Professionals*, 2010 (edited by Patrick J. Greene, Jr., et al.).
- "What Every Construction Lawyer Should Know About the Stimulus Act." Breakfast Club in New York City, December 7, 2010.
- "What Every Lawyer Needs to Know about the Economic Stimulus Act," December 6, 2010.
- "Use of Subguard Insurance on Government Contracts: Insurance for Government Contracts," October 26, 2010.
- "Subcontractor Failures: What Can You Do To Minimize the Risk and Seek Aggressive Recovery?" September 30, 2010.
- "Contracting With State and Local Governments and Private Parties on Projects Funded by the Stimulus Act," June 11, 2010.
- "The Age of Turbulence: Plenary 5: Damages Beyond the Contract," Moderator, Austin, TX, April, 2010.
- "Recent Ethics Regulations Amending the FAR," *Construct!*, Winter 2009 (William W. (Tom) Thompson and Patrick J. Greene, Jr.).
- "New Opportunities," Building & Construction Northeast, Fall 2009 (William W. (Tom) Thompson and Patrick J. Greene, Jr.).
- Stimulus Funds (Building & Construction Northeast, Autumn 2009).
- "The New Stakes in Doing Business with the Federal Government" by *Construct!*, Vol. 16 No. 3, Summer 2007 (Adrian L. Bastinelli, III and Patrick J. Greene, Jr.).
- "Defending a Civil False Claims Act Case: Practical Considerations," American Bar Association Forum on the Construction Industry, September 2007.
- "New Jersey's Lien Laws: Update," 2001 through 2016.