

# McElroy Deutsch

## Thomas G. Librizzi



### Partner

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### Overview

#### Curriculum Vitae

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**THOMAS G. LIBRIZZI's** practice has concentrated on construction and surety law related matters for more than 30 years. He counsels construction managers, contractors, subcontractors, owners, design professionals and sureties on the full range of construction issues, including claims, project delays and extra work, project management, claims avoidance, contract drafting and negotiations, design-build contracts, contract administration and performance, labor disputes, bid protests, mechanics liens, domestic and international arbitration, litigation in state and federal court and mediations. Tom was a construction law partner at Pepe & Hazard for 25 years prior to its merger with McElroy Deutsch in 2010.

Mr. Librizzi has represented various general contractors, construction managers, subcontractors and owners with respect to the resolution of complex multi-party, multi-issue construction claims arising out of the construction of prisons, schools, waste water treatment plants, government office buildings, roads and bridges, power plants, refineries, apartment complexes, commercial office buildings, hotels, hospitals, dormitories, department stores and retail shopping centers. Tom has been lead counsel in numerous trials, bid protests, arbitrations and mediations. He also has extensive experience in advising public work contractors on governmental compliance and procurement issues, including small business and minority set-aside requirements and Federal Acquisition Regulations. Since 2007 he has been an editor for the yearly Connecticut Construction Case Law Summary and Legislative Review published by Connecticut Bar Association Construction Law Section. He served as the Chair of the Construction Law Section of the Connecticut Bar Association from 2017 through 2019.

## Awards

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- Listed in Best Lawyers® (2011-2023), a Woodward/White, Inc. business and partners with U.S. News & World Report, in the area of Construction Law. A description of the standard or methodology on which the accolade is based can be found [HERE](#). (No aspect of the advertisement has been approved by the Supreme Court).
- Listed in Super Lawyers® (2006, 2009 - 2019), a Thomson Reuters business, in the areas of Construction/Surety, Construction Litigation, and Business Litigation. A description of the standard or methodology on which the accolade is based can be found [HERE](#). (No aspect of the advertisement has been approved by the Supreme Court).

## Cases

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- Representation of a general contractor and its surety in the defense of claims brought by the owner and various subcontractors totaling \$2 million arising out of the renovation of a large and outdated factory to apartments, in both state and federal courts as well as in arbitration.
- Obtained \$2.4 million arbitration award in favor of a structural steel contractor against the general contractor/developer of an ocean front high rise condominium project in New Jersey for improper termination.
- Obtained settlement of \$500,000 in favor of a general contractor against the state of Connecticut in connection with claims arising out of the substructure widening of the Mianus River Bridge.
- Representation of an architect in the defense of a claim for the defective design of a field house roof.
- Representation of various contractors in bid protests involving state and municipal projects.
- Representation of various contractors on claims for delays and disruptions on road and bridge contracts against the State of Connecticut Department of Transportation.
- Representation of general contractor in claims arising out of the concrete foundation and site work for the Connecticut Department of Transportation Headquarters project.
- Representation of a design-build contractor involving claims against a nursing home owner for project delays and disruptions and the recovery of additional costs for design changes beyond established design criteria.
- Member of a litigation team before an international arbitration tribunal, representing an international EPC contractor on a variety of claims totaling over \$500 million arising out of the construction of a \$1 billion crude oil upgrader facility in Venezuela.
- Representation of a municipality in professional negligence claims against a project architect, construction manager and environmental consultant for failing to conduct proper preconstruction asbestos inspections for a school renovation project.
- Representation of an electrical subcontractor in claims against a general contractor for loss of productivity due to schedule disruptions, cumulative impact of change orders and constructive acceleration arising out of the construction of a six story retail facility.

- Representation of various surety companies in defense of payment bond claims.
- Representation of a construction manager for the recovery of delay damages against a defaulted subcontractor's performance bond surety company arising out of a school construction project.
- Representation of an international EPC contractor in the prosecution of contract termination claims against an Egyptian structural steel fabricator for the delivery of defective steel to a cogeneration power plant in Germany.
- Representation of a general contractor in New York State Court in the defense of claims by subcontractors arising out of the construction of \$100 million federal prison project for the Federal Bureau of Prisons.
- Defense of a curtain wall subcontractor's bonding company in New York State Court involving default claims and performance bond demands by a general contractor on a Manhattan high rise hotel project.

## **Industries**

Construction

Corporate

Retail

## **Practices**

Alternative Dispute Resolution

Construction

International Arbitration

## **Education**

Gettysburg College (B.A. 1981)

The John Marshall Law School (J.D. with distinction 1984)

## **Admissions**

State of Connecticut

U.S. Court of Appeals, 2nd Circuit

U.S. Court of Federal Claims

Commonwealth of Massachusetts

U.S. District Court, District of Connecticut

U.S. District Court, District of Massachusetts