

Jay Bernstein

Senior Counsel

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OVERVIEW

Jay Bernstein is a Senior Counsel in the Construction and Surety Practice. His areas of expertise include construction law, government contract law, surety law, and disputes resolution. He has successfully represented the interests of clients in a wide variety of matters, including bid protests, contract claims, contested contract terminations, mechanic's lien litigation, and general commercial litigation.

Jay has spent much of his career in public service. He served as an Assistant Attorney General for the Contract Litigation Unit of Maryland's Office of the Attorney General, where he represented agencies of the State of Maryland. In particular, Jay advised and counseled the State of Maryland's Mass Transit Administration on a host of legal issues arising from the bidding and construction of Baltimore's Metro System and Light Rail System, including the formulation of the State's responses to claims submitted by contractors, and the implementation of alternate disputes resolution procedures to resolve contested claims.

Most recently, Jay served as Supervisory Senior Assistant General Counsel for the Real Property Division of the U.S. General Services Administration. In that position, Jay defended the Government from claims arising from Government contracts and leases, and successfully prosecuted claims against Government contractors for construction defects, and against architects for design errors and omissions. He also provided training to Contracting Officers and to GSA attorneys on various topics relating to the administration of government contracts.

Prior to joining GSA, Jay served as a Managing Director in the Bond Department of Travelers. At Travelers, Jay managed a team of surety claim administrators, surety claim attorneys, consultants and outside counsel responsible for handling a wide variety of contract and commercial surety claims and supervised the claim handling strategies and methodologies implemented by team members to ensure compliance with the company's best practices and procedures.

Jay has represented clients before a variety of forums, including the United States Civilian Board of Contract Appeals, the United States Government Accountability Office, the Maryland State Board of Contract Appeals, the Pennsylvania Board of

BAR AND COURT ADMISSIONS

District of Columbia

Maryland

U.S. District Court for the District of
Maryland

Appeals, the Superior Court of the District of Columbia, the Circuit Courts of Baltimore County and Anne Arundel County, and the United States District Court of Maryland.