

Michael K. De Chiara

SENIOR PARTNER HON. AIA NEW YORK STATE

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Known for strategic thinking and successful representation of numerous clients in some of the most high profile construction cases of the last 20 years, Michael K. De Chiara is one of the pre-eminent construction lawyers in the country.

Mr. De Chiara regularly represents clients in domestic and international construction disputes where the hard dollar amounts in controversy exceed \$100 million. For example, he successfully defended the engineer in the collapse of a major casino, and the resultant claims of over \$300 million. He prevailed on behalf of another (engineer) in a suit brought by a large California hospital where the claim exceeded \$150 million.

Mr. De Chiara is the only construction attorney in private practice who has represented the Federal General Services Administration, successfully defending it against a claim in excess of \$100 million in connection with a major Federal courthouse. Mr. De Chiara has also successfully represented the New York Metropolitan Transportation Authority in several major litigations. Mr. De Chiara is currently involved in the most high profile construction dispute in the United States involving a large condominium in San Francisco.

Mr. De Chiara is also highly regarded in the area of construction contract negotiation and drafting. For example, he represented the United Nations in developing their model design build agreement to be used throughout the world. He has drafted owner-contractor agreements for construction budgets up to \$850 million on behalf of New York City's most prominent real estate owners. Recently, Mr. De Chiara was retained to negotiate the largest private Project Labor Agreement for a single building in the history of the United States.

He has been involved in Public Private Partnership ventures and has negotiated and drafted contracts for Integrated Project Delivery projects. Mr. De Chiara was involved in negotiating and drafting the engineering contracts for the rebuild of the World Trade Center buildings in New York, representing clients dealing with the Port Authority of New York and New Jersey and Silverstein Properties. He negotiated the architectural contract for the World Trade Center Memorial, the engineering and architectural contracts for the Hudson Yards Development, the largest private building development in the history of the United States, and architectural and engineering contracts for virtually every other building type in the country.

Mr. De Chiara is active in many organizations and serves on the Boards of Directors of The New York Landmarks Conservancy and The New York Building Foundation. In addition, Mr. De Chiara serves as the General Counsel for the American Institute of Architects, New York State and the American Council of Engineering Companies of New York. On a pro-bono basis, he litigated to protect and preserve the famous Picasso work *Le Tricorne*, which was located in the Four Seasons Restaurant in the Seagram Building in New York City. Mr. De Chiara is a recipient of the AIA New York State President's Citation for Outstanding Service, and the March of Dimes' Thomas E. Diana Spirit of Volunteerism Award in recognition of his dedication to the community.

Mr. De Chiara has given numerous presentations on issues affecting construction projects, has co-authored a well-respected book on construction law and is a frequent contributor of articles and quotes on issues affecting the design, construction and real estate industries.

Mr. De Chiara is an arbitrator certified by the American Arbitration Association (AAA).

Education

Vanderbilt University, J.D.

Columbia University, Graduate Program Architecture

SUNY at Stony Brook, M.S.

SUNY at Stony Brook, B.E.M.E. *Mechanical Engineering*

Admissions

New York

New Jersey

Florida

Court Admissions

U.S. District Court, New York

U.S. District Court, Eastern District of New York

U.S. District Court, Northern District of New York

U.S. District Court, Southern District of New York

EXPERIENCE

Representative Matters

The following are select representative matters:

Commercial

Complex Ownership Transition Advice for an International Architecture Firm

We are advising on a complex ownership transition of a high-profile design professional practice, which includes new entity formation, amending ownership and financial mechanisms within existing entities, multi-jurisdictional firm-level licensing issues as well as intellectual property, estate planning and tax issues.

Pro Bono Dispute Resolution For a Not-For-Profit Corporation

We obtained a temporary restraining order on behalf of a Not-For-Profit Corporation preventing a landlord from removing a curtain painted by a world-renowned artist owned by the Not-For-Profit without its permission and consent.

Project Labor Agreement for a Grand Central Terminal Office Tower and Public Improvements

We represented a major owner/developer in negotiation and drafting of a project labor agreement for its \$3 billion, 1.6 million square-foot office tower and related public improvements in the area of Grand Central Terminal.

Empire State Building Auxiliary FM Antenna Design-Build Construction Contract

We represented the owner of the landmarked Empire State Building, one of New York City's iconic skyscrapers, in negotiating and drafting agreements for the highly unusual design-build delivery system for a new auxiliary FM antenna on a transmission tower atop the Empire State Building, with associated equipment and a temporary cocoon installation to ensure safety and to avoid interruption of building operations.

Data Centers / IT

Minnesota Data Center Lawsuit

We are representing a mechanical engineer with respect to a claim relating to the design of a data center in Minnesota.

Education

University Laboratory Design and Delay Dispute

We are representing the project's mechanical and structural engineer with respect to a claim relating to the design and delays in the completion of a university laboratory in New Jersey.

Government

United Nations Design-Build Contracts, Risk Management Analysis and Procurement Process

We represented the United Nations Procurement Service in the review and preparation of form RFPs, construction management agreements, preparation of general conditions and associated risk management analysis in connection with classified security-related design-build projects abroad.

Government Facility Reconstruction Litigation

We represented an engineer against claims concerning mechanical, electrical, plumbing and sprinkler engineering services in connection with the construction of a government facility located in the Bronx.

Global Monetary Organization World Headquarters Litigation

This matter involves the Washington, D.C. world headquarters of a global monetary organization.

Hospitality

Vermont Resort Litigation

We represented a design team against negligence and negligent misrepresentation claims in connection with the design and construction of a resort in Vermont.

Infrastructure

Long Island City Lots Litigation

We are representing the owner of multiple lots and buildings in Long Island City.

Mixed-Use

Litigated a Series of Suits in the Construction of a High-Rise Condominium in San Francisco

We successfully represented several design professionals with respect to a claim relating to the settling of a high-rise condominium tower in San Francisco in one of the most visible construction disputes in the United States.

Residential

Residential Property Waterproofing and Mold Remediation Litigation

We are representing the owner of a several hundred unit rental property in Long Island, New York with respect to a claim relating to the design and construction of the roof, windows and building envelope, which have been compromised and is allowing a significant amount of water to infiltrate the building.

HONORS

Fellowships

- Institute for Urban Design

Honors & Recognitions

- Best Lawyers

- Chambers USA Leading Lawyer, New York Construction
- Honorary Member of AIA New York State Award
- Super Lawyers
- The Legal 500

NEWS & EVENTS

News

The Best Lawyers in America 2026 Recognizes 13 Zetlin & De Chiara Attorneys
The Best Lawyers in America, 08.21.2025

Chambers USA 2025 Ranks Zetlin & De Chiara LLP as a Leading Firm for Construction Law
Chambers USA – America's Leading Lawyers for Business, 06.05.2025

Partner Michael De Chiara Quoted in Facilities Net
Facilities Net, 11.06.2024

Super Lawyers 2024 Recognizes 13 Zetlin & De Chiara Attorneys
10.24.2024

The Best Lawyers in America 2025 Recognizes 15 Zetlin & De Chiara Attorneys
08.15.2024

Zetlin & De Chiara LLP Recognized as a Leading Firm in Construction Law by The Legal 500 United States 2024
06.24.2024

Chambers USA Ranks Zetlin & De Chiara LLP as a Leading Firm for Construction Law
06.06.2024

Partner Michael K. De Chiara Quoted in Commercial Observer Article, "NYC Considers New Law to Prevent Building Collapses"
05.01.2024

Partner Michael K. De Chiara Quoted in Gothamist
12.14.2023

Super Lawyers 2023 Recognizes 14 Zetlin & De Chiara Attorneys
09.22.2023

The Best Lawyers in America 2024 Recognizes 16 Zetlin & De Chiara Attorneys
08.17.2023

Zetlin & De Chiara LLP Recognized as a Leading Firm in Construction Law by The Legal 500 United States 2023
07.13.2023

Chambers USA Again Ranks Zetlin & De Chiara LLP as a Leading Firm for Construction Law
07.12.2023

Super Lawyers 2022 Recognizes Zetlin & De Chiara Attorneys for Their Expertise in Construction Law
Super Lawyers

Zetlin & De Chiara LLP Again Recognized in the Best Lawyers List
08.18.2022

Zetlin & De Chiara Recognized as Leaders in Construction in 2022 Chambers USA Rankings
Chambers USA, 06.01.2022

What are the Goals of Local Law 97 and How Does NYC Plan to Achieve Them?
New York Real Estate Journal, 12.14.2021

Zetlin & De Chiara LLP Ranked Tier 1 in 2022 Edition of U.S. News- Best Lawyers® Best Law Firms®
11.04.2021

Zetlin & De Chiara Attorneys Widely Recognized in Super Lawyers 2021
09.30.2021

Zetlin & De Chiara LLP Lawyers Highly Recognized by Best Lawyers®
Best Lawyers®, 08.19.2021

Zetlin & De Chiara Client in the News: Richard Meier Retires as Firm Reorganizes
Architectural Record, 06.23.2021

Zetlin & De Chiara Ranked in the Top Tier for Construction Law by Legal 500 USA
Legal 500, 06.10.2021

Zetlin & De Chiara LLP Recognized as One of the Top Construction Law Firms by Chambers USA
Chambers USA, 05.20.2021

Super Lawyers Selects 10 Zetlin & De Chiara Attorneys for Its 2020 Ranking
11.05.2020

Zetlin & De Chiara Lawyers Named to 2021 Best Lawyers and to Ones to Watch Lists
08.20.2020

Zetlin & De Chiara LLP Earns Top Recognition in Chambers USA for Being “Top Caliber in Matters
Arising in Construction Law”
06.04.2020

Eleven Zetlin & De Chiara LLP Attorneys Recognized by Super Lawyers 2019
09.25.2019

Zetlin & De Chiara's Construction Law Expertise Recognized Again by Legal 500 US
09.11.2019

Eight Zetlin & De Chiara LLP Attorneys Selected For *The Best Lawyers in America* 2020
The Best Lawyers in America 2020, 08.15.2019

Zetlin & De Chiara Earns Top Recognition in Chambers USA

Zetlin & De Chiara LLP Ranked Tier 1 in 2019 Edition of U.S. News' “Best Law Firms”

Seven Zetlin & De Chiara LLP Attorneys Selected For *The Best Lawyers in America*, 2019

Zetlin & De Chiara's Construction Law Expertise Recognized Again by Legal 500 US

Zetlin & De Chiara LLP Earns Top Recognition in Chambers USA For The 12th Consecutive Year

Michael De Chiara Quoted in Biz Groups Fight Town Apprentice Plan, Real Estate Weekly

Twelve Zetlin & De Chiara LLP Attorneys Receive Prestigious Thomson Reuters' Super Lawyers
2018 Ranking

Michael De Chiara Quoted in Uncertain Future for Labor Unions, Real Estate Weekly, November
2017

Will Nonunion Construction Conquer the Commercial Market Next?

Zetlin & De Chiara LLP Ranked Tier 1 in U.S. News' 2018 "Best Law Firms"

Eleven Zetlin & De Chiara LLP Attorneys Recognized by Super Lawyers for 2017

Michael De Chiara Quoted in When Building Materials Fail, Who's to Blame?

Zetlin & De Chiara Attorneys Selected For The Best Lawyers in America 2018

NY Will See More Design-Build, So Know The Pros And Cons

Organized Labor Doesn't Have the Grip They Once Did Thanks to "Open Shop," continued coverage of Zetlin & De Chiara Event

"The Future of Labor in Construction" Event Hosted by Zetlin & De Chiara

Non-Union Construction Pushing into Commercial Real Estate, continued coverage of Zetlin & De Chiara Event

Zetlin & De Chiara's Construction Law Expertise Recognized by Legal 500 US

Zetlin & De Chiara LLP Earns Top Recognition by Chambers USA For The 11th Consecutive Year

Michael De Chiara featured in What Role will Union Construction Play in the NYC of Tomorrow? The Real Deal

Work Rule Changes, No-Strike Clause 'Critical' for One Vanderbilt, Michael De Chiara quoted in Politico

Zetlin & De Chiara Appears in Bloomberg Business Week, Fortune and Money Magazines

Zetlin & De Chiara LLP Recognized as Top Tier Construction Law Firm by U.S. News – Best Lawyers 2017

Eight Zetlin & De Chiara LLP Attorneys Named 2016 Super Lawyers

Seven Lawyers from Zetlin & De Chiara LLP Selected for Best Lawyers in America

New Lobbying Law Could Hurt Development in New York City, by Michael K. De Chiara, Real Estate Weekly, June 2016

Serious Issues: A Close Analysis Reveals the Fallacy of Integrated Project Delivery, by Michael De Chiara, Construction Today, March/April 2016

Working with Exterior Contractors
The Cooperator, 03.2016

Michael K. De Chiara featured in *Construction Today* discussing the Fallacy of Integrated Project Delivery

PLAs should save city millions, create opportunities
Real Estate Weekly, 06.25.2015

Zetlin & De Chiara Attorneys Present CLE Program for the Association of Corporate Counsel

Join New York's Healthcare, Design, Engineering and Construction Leaders on June 4th for Healthcare Master Builders

Communication and Due Diligence are Keys to Success According to Experts at The Building Next Door: The Impact Of Construction On Adjacent Buildings

On April 9th Join The Conversation At The Building Next Door: The Impact Of Your Construction Project On Adjacent Buildings

Michael De Chiara Moderates ENR's Healthcare Construction Conference

NY Will See More Design-Build, So Know The Pros And Cons, by Michael De Chiara, *Law 360*

Michael De Chiara Moderates BISNOW Construction and Development Summit Panel

Michael De Chiara Presented With Honorary Member of AIA New York State Award

Zetlin & De Chiara Attorneys Recognized in Super Lawyers

Zetlin & De Chiara Partners Named Best in Construction Law

Zetlin & De Chiara Recognized as a Leading Construction Law Firm

When Success Matters To Your Construction Project published in the Mann Report, February 2013

Zetlin & De Chiara Joins Key Experts in Conference on Urban Resilience

Zetlin & De Chiara LLP and Senior Partners Named Best in Construction Law
12.31.2012

Zetlin & De Chiara Attorneys Named 2012 SuperLawyers
12.30.2012

Design Professional Service Corporations Come To New York
09.01.2012

Michael De Chiara Talks Green Building Materials with Interiors & Sources

Zetlin & De Chiara Attorneys Named 2011 Super Lawyers
Super Lawyers, 12.31.2011

Legal Climate Affects Construction Industry Innovation Explains Michael De Chiara

Michael De Chiara, Michael Zetlin, Ray Mellon and Carol Patterson were named leading construction litigators
02.08.2010

Michael De Chiara, Michael Zetlin, Ray Mellon and Carol Patterson were named leading construction litigators in the January/February 2010 issue of Super Lawyers
Super Lawyers, 02.01.2010

Michael Zetlin and Michael De Chiara Recognized as Two of New York's Best Lawyers
New York Magazine , 12.2009

Energy to Build New York
New York Construction , 07.29.2009

In the December 22nd issue of New York Magazine, Michael De Chiara and Michael Zetlin were recognized as New York's Best Lawyers in the area of construction law.

Steps to Reduce Your Exposure "When the Crane Collapses"

Michael K. De Chiara & Michael S. Zetlin provided an interesting perspective on the topic of BIM (Building Information Modeling) which was featured in the July 21, 2008 issue of ENR magazine.

March 2008 Issue

Four New York Partners, Michael S. Zetlin, Michael K. De Chiara, Raymond T. Mellon and Carol J. Patterson, were recognized in the September 23, 2007 issue

Issue 4

Issue 3

Michael K. De Chiara was quoted in the feature story of the September 2006 issue of New York Magazine titled, "The Breaking of Michael Arad."

Michael K. De Chiara authored an article titled, "It's a BIM World... Get Ready." It appeared in the July 17, 2006 issue of the Engineering News Record.

Chambers USA Guide, July 7, 2006, Zetlin & De Chiara recently received glowing reviews from the Chambers USA Guide

In the March 2006 issue of New York Construction News, an article written by Michael K. De Chiara titled, "Litigation on K-12 School Projects Troubles Insurers" appeared.

Development New York, September 2005, mentions the appointment of Michael De Chiara to the Overseas Building Operations Industry Advisory panel.

Oculus, Summer 2005, quotes Michael De Chiara in 2nd Act, an article written by Richard Staub that discusses how the founding principals of architectural firms plan for their succession.

New York Construction, September, 2004, "The Reality of Risk, Design and Construction Industries Creating New Standards for Building Security"

N.Y. Times, April 25, 2004, "Metropolitan Desk, New Partners for Architect of Memorial 9/11 Site," By David W. Dunlap

Real Estate Weekly, February 11, 2004, No. 26, Vol. 50; Pg. C8; ISSN: 1096-7214, Cuoco leads an all-star cast at Thornton-Tomasetti

NY Real Estate Journal, October 28, 2003, "A Discussion Regarding Important Legal Issues in Mold Contamination Cases," By Michael K. De Chiara and Jenifer B. Minsky of Zetlin & De Chiara LLP.

Real Estate Weekly, February 6, 2002, No. 27, Vol. 48; Pg. 14; ISSN: 1096-7214, Zetlin & De Chiara hosts Dec. 12 event

Managing Your Firm in Uncertain Times
New York Law Journal, 12.12.2001

Events Seminars Meeting Talks
Real Estate Weekly , 12.12.2001

Market Braces For Terror Shock
Engineering News

Marketing For Lawyers
08.31.2001

2000

1999

1997

1995

1994

Speaking Engagements

Michael De Chiara to Present at NY Metro Builds Bio+ Annual Symposium for Life Science Innovation and Development
11.01.2023

Zetlin & De Chiara's 30th Anniversary Celebration
12.14.2022

Local Law 97: Capitalizing on a Greener New York
Union League Club & Virtual, 12.07.2021

Surveying the Tri-State Region: A Data-Driven Outlook for the Life Sciences Economy Panel, 2021
Life Sciences Real Estate Development Symposium
The Times Center, 242 West 41st Street, New York, NY 10036, 11.04.2021

Contracts, Climate, & Compliance: A workshop discussing the legal risks and responsibilities of high performance building design & construction
Building Energy Exchange & Virtual, 09.14.2021

Risk Management for Underground Construction: Lessons Learned from the Millennium Tower Project
Zoom, 04.22.2021

Michael De Chiara Discussed Project Team Responsibilities for NYC Local Law 97 Compliance at ACECNY
Online, 01.20.2021

Insurance Coverage Update in the COVID-19 Age: What Keeps You Up at Night?
Webinar, 05.14.2020

Lessons Learned from 301 Mission and Other Large Urban Projects-Event Postponed

New York City Builds Bio+ Life Sciences 2019 Real Estate Development Symposium
Helmsley Building, 06.12.2019

NYC Builds Bio+ Life Sciences 2019 Real Estate Development Symposium
The Times Center, 06.12.2019

The Future of Labor in Construction: The Conversation Continues
11.02.2017

Leadership Lunch: Risky Business - What Marketing Leaders Need to Know to Position Their Firms in
High-Risk A/E/C Environment
10.24.2017

Outlook 2017: The Future of Labor in Construction
The Union League Club, 05.31.2017

Play, Live, Work: Transformative Development
02.2016

Healthcare Construction Conference
2014

Construction and Development Summit Panel
2013

AIA-ACEC Committee Meetings
Zetlin & De Chiara LLP, 06.2011

Insurance Industry Summit
02.2011

AIA/ACEC Special Advisory Committee Meetings
05.2010

The State of the Insurance Industry Managing Risk and Protecting Profitability

The Contractual and Liability Issues of BIM and IPD Webinar
11.2009

AIA/ACEC Special Advisory Committee Meetings
10.2009

An Introduction to IPD Seminar Series
09.2009

Energy to Build New York
07.2009

AIA/ACEC Special Advisory Committee Meetings
05.2009

CASE Spring Risk Management Convocation Breakfast: 9/11 Responders and the Structural Risk
Involved
05.2009

The State of the Insurance Industry and Implications for Building New York
01.2009

AIA/ACEC Special Advisory Committee Meetings
11.2008

The Current Economic Crisis and Its Impact For Regional Construction and Development
11.2008

Second Annual Architects and Engineers Expert Retreat: Integrated Project Delivery and BIM
09.2008

BIM Symposium
08.2008

AIA/ACEC Special Advisory Committee Meetings
06.2008

Annual Joint Session on Current Issues for Design Professionals
12.2007

AIA/ACEC Special Advisory Committee Meetings
10.2007

Retrofitting Green: Why It Makes (Dollars and) Sense!
06.2007

Annual Joint Session on Insurance Issues
05.2007

Annual Joint Session on Insurance Issues
11.2006

It's a BIM New World—The Next Revolution in Design and Construction Technology
10.2006

Annual Joint Session on Insurance Issues
10.2005

Annual Joint Session on Insurance Issues
10.2004

Annual Joint Session on Insurance Issues
10.2003

AIA National Conference, "Owner-Drafted Contracts: Sign Here Stupid!"
05.2003

Water Intrusion and Mold Remediation in New York: Seminar Series
09.2002

Publications

Contracts, Climate & Compliance
09.15.2021

Understanding and Planning for NYC Local Law No. 97 of 2019
01.06.2021

Building for New York's Biotech & Life Sciences Industries
06.12.2019

Zetlin & De Chiara LLP Fall 2018 Update
10.23.2018

Zetlin & De Chiara LLP Spring 2018 Update
05.08.2018

Zetlin & De Chiara LLP Fall 2017 Update
10.12.2017

Quality is What Matters Most When Considering Union and Open Shop Labor

Serious Issues: A close analysis reveals the fallacy of integrated project delivery
Construction Today, Winter 2016

NY Will See More Design-Build, So Know The Pros And Cons
Law360 Expert Analysis, 11.13.2013

Public Project Design-Build In New York
Mann Report, 10.2013

Are We Nature-Ready?
Mann Report, 05.2013

Collaboration by Contract: The Legal Side of Integrated Project Delivery
Zetlin & De Chiara Review, 09.2012

Interview with the Presidents
Zetlin & De Chiara LLP Review, 02.2012

Arc Tunnel Project – Westway Revisited
Real Estate Weekly, 05.2011

ARC Tunnel Project - Westway Revisited by Michael De Chiara, *Real Estate Weekly*, May 4, 2011

Foreign Employment Issues for the Unwary
Quarterly Review, Zetlin & De Chiara LLP, 2010

When the Crane Collapses: From the Owner's Perspective
Quarterly Review, Zetlin & De Chiara LLP, 2008

BIM: The Professional and Legal Ramifications - A Voyage into the Unknown
Quarterly Review, Zetlin & De Chiara LLP, 2006

An Interview with David J. Bresnahan
Quarterly Review, Zetlin & De Chiara LLP, 2006

New York Construction Law
Aspen Publishers, 2003

AFFILIATIONS

Organizations

- American Council of Engineering Companies of New York— General Counsel; Member, Legal Counsel Forum
- American Institute of Architects New York State — General Counsel
- AIA – ACEC/NY Special Advisory Committees — Chairman
- New York Building Foundation — Board Member/General Counsel
- New York Landmarks Conservancy — Board of Directors
- New York Building Congress — Member, Energy; Healthcare; Planning, Growth & Sustainability; Public Building & Procurement; and Transportation & Infrastructure Committees
- Society of American Military Engineers
- Real Estate Board of New York
- Construction Management Association of America
- American Bar Association — Member, Construction Industry Forum
- New York City Bar Association
- New York State Bar Association

Faculty Memberships

Cornell University