



## W. Alan Torrance, Jr.

### SHAREHOLDER

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W. Alan Torrance, Jr. is a shareholder and Marketing Director of Dickie, McCamey & Chilcote, P.C. and Co-Chair of the Construction Law Group. He concentrates his practice in the areas of business torts and commercial litigation with a particular emphasis in construction and surety law.

His experience includes representation of owners, contractors, design professionals, suppliers, and sureties in private and publicly-funded projects. He has prosecuted mechanic's lien claims in ten states and Canada and regularly prosecutes and defends claims for contract funds, change orders, labor inefficiencies, delays, and other direct and indirect costs. In addition, he frequently prepares and revises contracts for domestic and international projects. He has served as both an arbitrator and mediator of construction disputes involving owners, design professionals, and contractors.

Mr. Torrance is Dickie McCamey's Marketing Director overseeing more than 190 lawyers throughout 11 states and serves on the firm's Executive Committee.

## Practice Focus

- Commercial Law and Litigation
- Construction Law
- Corporate Services
- Energy
- Insurance Law and Litigation

## Professional Accomplishments

- AV Preeminent® Peer Review Rated by Martindale-Hubbell® since 2009
- *The Best Lawyers in America*® since 2009: Commercial Litigation, Construction Law, and Litigation – Construction
- *Pennsylvania Super Lawyers*® 2011–2023

## Representative Matters

- Represented national contractor and development entity for resolution of claims arising from the Commonwealth of Pennsylvania's largest Public Private Partnership (P3) Project employed to replace over 500 aging bridges
- Retained by four of the top ten construction contractors in Western Pennsylvania
- Successfully prosecuted multimillion-dollar mechanic's lien claim against multibillion-dollar industrial facility
- Represented a group of homeowners in a resort community to negotiate and facilitate multimillion-dollar repair of over two dozen properties due to water infiltration
- Successfully defended labor inefficiency claim on project with 100% BIM requirement
- On behalf of a national contractor, successfully prosecuted a multimillion-dollar recovery against an engineering firm arising from landslide at an electrical substation
- Retained to represent contractor in the prosecution of claims in excess of \$60 million arising from 300-mile pipeline project in West Virginia and Virginia
- Represented ownership group in the successful negotiation and facilitation of construction of multimillion-dollar retaining wall subsequent to slope failure
- Achieved multimillion-dollar settlement from the geotechnical engineers and contractor regarding the design and installation of a failed structural retaining wall and foundation on behalf of a Fortune 100 company as the owner of commercial property
- Representation of surety in multimillion-dollar performance bond default arising from a publicly bid prison project
- Prosecution of mechanics liens and claims for payment throughout the United States and Canada for a national roofing contractor
- Obtained jury verdict in favor of a specialty contractor for labor inefficiency and delay costs, attorney's fees, interest, and penalty interest after a four-week jury trial
- On behalf of a surety, successfully negotiated and resolved the affirmative claim for delay damages assigned by a defaulted contractor against the project owner arising from the construction of a major league baseball stadium
- Negotiated delivery and installation of an industrial boiler system in an automobile manufacturing facility in Mexico
- Representation of various bonding companies on all types of indemnity and bond claims arising from the issuance of performance, payment, and maintenance bonds, in addition to probate and miscellaneous bonds
- Prosecution of bid protest resulting in award of publicly funded infrastructure project to client without a rebid
- Successful defense and resolution of OSHA claims filed against a general contractor resulting from the death of a subcontractor's employee

## Speaking Engagements

- "Understanding Mechanic's Liens" (Speaker), *The DMC Report Podcast Series*, 2/14/2024
- "Indemnitors' Affirmative Claims and Defenses in Relation to the Surety's Rights of Indemnity" (Speaker); Surety Claims Institute Annual Meeting; Cambridge, Maryland; 6/23/2023
- "Effective Use of Building Information Modeling (BIM) at Mediation and at Trial" (Speaker); Eastern Bond Claims Review; 5/22/2023
- "The Tragedy in Surfside" (Speaker), Construction Law Podcast, *The DMC Report Podcast Series*, 7/13/2021

- "Builder Legal Update: The New Mechanic's Lien Statute & the Recent Biltrite Decision" (Co-Presenter); Builders Association of Metropolitan Pittsburgh; 4/24/2007

## Publications

- "Exculpatory Clauses: Will Pennsylvania Courts Permit Owners to Convert Terminations for Default into Terminations for Convenience?" (Co-Author), *BreakingGround* magazine, March/April 2023, pp. 50–51
- "The Surety's Guide to 'BIM' — An Overview and Considerations for the Surety" (Contributing Author), *Eastern Bond Claims Review*, May 2023
- "Assignability of Statutory Bad Faith Claims: Pennsylvania Rulings May Have Far-Reaching Consequences" (Co-Author), *Claims Management* magazine, Dec. 2014, Issue 12, Vol. 3, 2014 Bad Faith Supplement, p. S–4
- "Legal Fundamentals in a Growing Economy" (Author), *BreakingGround* magazine, July/Aug. 2013, pp. 37–38
- "Design-Build Procurement in Pennsylvania? – Sometimes" (Author), *BreakingGround* magazine, Jan./Feb. 2012, pp. 37–39

## Admissions and Licenses

- Pennsylvania Bar Admission
- United States Court of Appeals for the Third Circuit
- United States District Court for the Middle District of Pennsylvania
- United States District Court for the Western District of Pennsylvania

## Memberships

- Allegheny County Bar Association
- American Bar Association (Fidelity & Surety Law Committee and Forum on Construction Law)
- Construction Lawyers Society of America
- National Bond Claims Association
- Surety Claims Institute

## Education

- University of Pittsburgh School of Law, J.D. (1987)
- Washington & Jefferson College, B.A. (1984), Economics
- American University/Economics Study, U.S. Treasury Department – Office of Market Analysis and Government Finance (Fall 1983)



