



## Erik Ortmann

### Overview

Erik Ortmann has more than 25 years of experience representing private and public owners, municipalities, general contractors, construction managers, design professionals, trade contractors and suppliers with respect to all aspects of construction law.

In addition to representing these entities in litigation and arbitration matters, Mr. Ortmann drafts and negotiates contracts, addresses compliance issues, and provides advice on a daily basis. His experience includes representing parties in the bridge, heavy highway and vertical building industries. Mr. Ortmann is also certified by the U.S. Green Building Council as a LEED® Green Associate.

### Admissions

- New York
  - U.S. District Court
    - Southern District of New York
    - Eastern District of New York

### Education

- Hofstra University School of Law – J.D.
- University of California, Santa Barbara – B.A.

### Professional Memberships

- New York State Bar Association
- Construction Financial Management Association (LI Chapter), Board of Directors
- General Contractors Association, Law & Legislation Committee Member
- Associated General Contractors of America, NYS Chapter Member
- Subcontractors Trade Association
- U.S. Green Building Council (LI Chapter), LEED Green Associate
- Mechanical Contractors Association of New York, Inc.



Partner  
Co-Chair of Construction Practice Group

### Contact Information

135 Crossways Park Drive, Suite 201  
Woodbury, NY 11797  
Email: eortmann@kaufmandolowich.com  
Main: (516) 681-1100  
Direct: (516) 283-8730  
Cell: (516) 455-9068  
Fax: (516) 681-1101

### Related Practices

- Construction Law
- Construction Contract Drafting, Negotiation & Interpretation
- Architects and Engineers
- Property Damage and Construction Liability
- Commercial Litigation
- Construction Regulation Compliance (M/W/DBE, OSHA, Safety)

## Experience

## Representative Matters

- *Town of Babylon v. Federal Housing Finance Agency et. al.* 11-348 (U.S. 2nd Cir.)

## Publications

- *Construction Broadsheet* features Partner Erik Ortmann in "Legal Q and A: Subs and the new PLA rule," 1-25-2024
- *Legal Q and A: Potential payment issues on federal projects*, *Construction Broadsheet*, author Erik Ortmann, Esq., June 30, 2022
- *Key Requirements, Benefits of FRESH Tax Incentive Program*, *New York Real Estate Journal*, authors Erik Ortmann, Esq. and Christopher McDonald, Esq.
- *Report: New York City's MTA Must Improve Construction Project Record Keeping*, *Construction Dive*, featuring Erik Ortmann, Esq., 1-12-22
- *Legal Q and A: DBE Contractor Issues on Federal Projects*, *Construction Broadsheet*, featuring Erik Ortmann, November 21, 2021
- *KD Alert: Creation of NYS Construction Industry Advisory Council – Bill Passes Through Legislature. Awaits Governor's Signature*
- *You May Have a Great Case But You Have To Prove It*, *NYREJ*
- *New York City MTA inspector general wants reform of agency's contractor evaluation system*, *ConstructionDive*, ft. Erik Ortmann
- *New York contractor to pay \$1.5M to settle 'severe' sexual harassment, retaliation claim*, *ConstructionDive*, ft. Erik Ortmann
- *COVID-19 Presents New Challenges for Minority-Owned Construction Firms*, *ConstructionDive*, ft. Erik Ortmann
- *MTA Completes Tunnel Rehab 3 Months Early, \$100M Under Budget*, *ConstructionDive*, ft. Erik Ortmann
- *Attorney shares advice, questions for firms working on NYC projects*, *New York Business Journal*
- *Former MTA manager pleads guilty to charges in construction bid-rigging case, could face prison time*, *ConstructionDive*, ft. Erik Ortmann
- *Contractors Sue NYC's MTA Over New Debarment Rules*, *ConstructionDive*, ft. Erik Ortmann
- *NYC's transit agency transfers 430 workers to construction division*, *ConstructionDive*, ft. Erik Ortmann
- *The New MTA Debarment Rule And Increased State Focus On Responsibility*, *LICA Roadwarriors*
- *Dotted Line: How to conduct business in a world of discrimination and harassment claims*, *ConstructionDive*, ft. Erik Ortmann
- *New York State Delay Damages Bill (A.7945-A) Passed the Senate on June 14th, 2018*
- *Construction Legislation And Regulation To Watch*, *Law360*, ft. Erik Ortmann
- *DMWBE: Have a Plan, Long Island Road Warriors*
- *4 Ways to Avoid Suspension or Debarment on Federal Contracts*, *ConstructionDive*, ft. Erik Ortmann
- *KD Construction Alert: Governor Cuomo Vetoes Materials Retainage Bill - To Relief of Many in the Construction Industry*
- *KD Construction Alert: D/M/WBE Waiver Requests - Know Your Rights and Be Prepared*
- *KD Construction Alert: DBE Trucking Credits – A Change To The Counting Rules Is Finalized*

## News

- *Legal Q and A: DBE Contractor Issues on Federal Projects, Construction Broadsheet, featuring Erik Ortmann, November 21, 2021*
- *KD Alert: Creation of NYS Construction Industry Advisory Council – Bill Passes Through Legislature. Awaits Governor's Signature*
- *New York City MTA inspector general wants reform of agency's contractor evaluation system, ConstructionDive, ft. Erik Ortmann*
- *New York contractor to pay \$1.5M to settle 'severe' sexual harassment, retaliation claim, ConstructionDive, ft. Erik Ortmann*
- *COVID-19 Presents New Challenges for Minority-Owned Construction Firms, ConstructionDive, ft. Erik Ortmann*
- *MTA Completes Tunnel Rehab 3 Months Early, \$100M Under Budget, ConstructionDive, ft. Erik Ortmann*
- *Attorney shares advice, questions for firms working on NYC projects, New York Business Journal*
- *KD Alert - Prevailing Wage Now Applicable to Private Construction*
- *NEW YORK STATE UPDATE: ESD Narrows Construction Exemption from Workforce Reduction Order*
- *New York State Update: COVID-19 Guidance for Construction*
- *Sexual Harassment Prevention Policy and Training Now Required in New York State and New York City*
- *New York State Delay Damages Bill (A.7945-A) Passed the Senate on June 14th, 2018*
- *CFMA-LI Sponsors Breakfast and Panel Discussion on "What You Need To Know" with Diversity Program Directors (DMWBE) - MTA, Port Authority & State University Construction Fund*
- *KD Construction Alert: D/MWBE Waiver Requests - Know Your Rights and Be Prepared*

## Speaking Engagements

- *Long Island Contractors' Association/LICA 2019 Seminar Series: Sexual Harassment - February 26, 2019: Sexual Harassment & Discrimination Avoidance Training*
- *The New York State Prompt Payment Act and Other Tools For Payment*
- *Construction Compliance & Integrity Investigations: Dealing with the New Reality*
- *Contract Claims: Notice & Damage Documentation Requirements*
- *M/W/BE Compliance: Working with New York's Public Agencies*

## Speaking Engagements

- *Moderator, Projects & Capital Programs Important to Long Island's Future, Construction Financial Management Association-Long Island, October 27, 2022*
- *Panelist, How to Better Manage Contracts, Preserve Claims, and Reduce Project Risk, Subcontractors Trade Association, October 18, 2022*