



## Melissa Salsano

Counsel | New York | Atlanta

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### Areas of Practice

Construction Dispute Resolution | Construction Project Counseling | Construction Contract Drafting | Energy | Litigation/Trial Practice | Transportation | International Arbitration & Dispute Resolution

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Melissa Salsano is Counsel in the Construction Law Practice of Smith, Gambrell & Russell, LLP.

Ms. Salsano is an experienced construction lawyer, litigator and engineer who represents public and private owners and developers, international and domestic general contractors, and construction managers on a wide array of private and public construction and infrastructure projects. She has represented clients in connection with high-profile projects that include bridges, railroads, power plants, utilities, airports, roadways, hospitals and commercial facilities.

Ms. Salsano represents clients in the resolution of complex litigation matters and disputes at the state, federal and appellate levels, as well as during contract negotiation and project administration. She has experience in all project delivery methods, including alternative delivery projects.

Ms. Salsano routinely provides project counseling where her work includes everything from contract negotiation to execution and final completion. This includes development, negotiation and resolution of claims, as well as dispute resolution with stakeholders at all levels of various projects.

With a background in civil engineering, coupled with extensive dispute resolution, project counseling and negotiation experience, Ms. Salsano effectively delivers solutions to project stakeholders, who often have varying business and legal objectives. She provides a sophisticated level of insight to disputes and her strategic and practical style helps clients resolve legal and business matters efficiently and effectively.

Ms. Salsano's experience includes serving as acting general counsel for an infrastructure contractor for 18 months through a secondment while working for a prior law firm.

Ms. Salsano earned her J.D. from Rutgers Law School, and holds a B.S. in Civil Engineering, *magna cum laude*, from the New Jersey Institute of Technology

## Representative Experience

### Transactional

Drafting and negotiation of various construction, design, and service agreements utilizing various project delivery methods, such as design-bid-build (DBB), design-build (DB), construction manager at risk (CMAR) and Public-Private Partnerships (P3), subcontract agreements, vendor and supply contracts, and labor agreements.

### Claims, litigation and alternative dispute resolution

Ms. Salsano assists clients with construction claims, litigation and alternative dispute resolution (ADR) for a range of construction industry clients involving complex commercial, construction and designer liability disputes. Experience includes disputes involving bridges, hospitals, railroads, airports, utilities, and commercial and multi-family residential projects. Some examples of Ms. Salsano's work prior to joining SGR includes the following:

- Represented construction joint venture in litigation brought by subcontractor claiming cardinal change and delay in relation to Port Authority of New York and New Jersey (PANYNJ) bridge project. Obtained pre-trial dismissal of subcontractor \$40M cardinal change and delay claims relating to bridge project in their entirety on motion.
- Represented construction joint venture in litigation brought by property owner that neighbored new construction bridge project for New York State Department of Transportation (NYSDOT). Property owner claimed private taking relating to project.
- Represented a developer of mixed-use high-rise project, defeated application for temporary restraining order and preliminary injunction that would have otherwise halted mixed-use construction project where neighbor claimed adverse possession.
- Represented developer of residential project seeking to pierce the corporate veil of defunct construction entity; defeated motion for summary judgment seeking to dismiss developer's claims against owners of defunct entity.
- Represented contractor with delay and differing site condition claim against NYSDOT in relation to construction of new bridge.
- Represented design builder in litigation relating to termination of DB agreement for Public Private Partnership (P3) project.
- Represented international EPC contractor in litigation adverse to owner in relation to LNG expansion project. Contractor and owner interposed dueling claims for delay and damages.
- Represented contractor in litigation and trial relating to wastewater treatment facility. Contractor and owner had dueling claims for delay and damages.

- Represented construction joint venture design builder in litigation relating to demolition design for bridge project.
- Represented contractor with respect to dispute with subcontractor relating to airport project. Dispute included entitlement under subcontractor's performance bond and termination of the underlying subcontract.
- Represented engineering company in obtaining pre-answer dismissal of claims by public county in relation to waste water treatment project.

## Admissions

New Jersey

New York

Georgia

## Recognitions

*New York-Metro Super Lawyers*, Rising Star, 2018-2019

*Best Lawyers* "Ones to Watch," 2022-2023

## Publications and Speaking Engagements

- Panelist, "New World: How 2020 + 2021 Changed the Delivery of Legal Services and the Business of the Construction Industry," Groundbreaking Women in Construction (GWIC), May 2021.
- Speaker, "Forensic Case Study and Arbitration for Hoover Dam Bridge," Structural Engineering Institute of ASCE SJ Branch and Forensics Group for ASCE SJ Branch joint seminar, October 2018.