



Tarik M. Kershah

Partner



Tarik Kershah is an attorney in Bricker & Eckler’s Construction group and is licensed to practice law in Ohio and Illinois. Tarik represents public and private sector owners in all phases of the construction process beginning with project delivery model selection through dispute resolution and litigation. Tarik has represented hospitals, libraries, school districts, cities, villages, and other political subdivisions, along with private entities such as commercial developers, private clubs, and condominium associations. His work includes negotiating and drafting contracts setting forth the rights and responsibilities of the various parties to complex construction projects. He also counsels clients on contract administration, risk management, and dispute avoidance. Tarik has significant experience preparing and responding to claims in support of time and price adjustments to contracts. Tarik has successfully mediated and litigated large complex, multi-party construction disputes including appellate work.

Before joining Bricker & Eckler in 2013, Tarik spent several years (2008-2013) as an associate attorney for a Chicago-based real estate and construction law firm. In addition to his construction experience, Tarik has represented businesses in a variety of commercial litigation and real estate matters.

Tarik previously served as an extern for the Honorable Michael H. Watson of the U.S. District Court for the Southern District of Ohio.

CONTACT INFORMATION

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INDUSTRIES & PRACTICES

Construction
Public Sector
Litigation

Bar Admissions & Activities

- Admitted, State of Ohio; State of Illinois
- Admitted, U.S. District Court, Northern District of Illinois; U.S. District Court, Northern and Southern Districts of Ohio

Education

- Capital University (J.D., *cum laude*, 2007); Order of the Curia; Trustee's Merit Scholarship
- Ohio University (B.B.A., finance and management information systems, 2002)

Presentations & Published Works

- Speaker, "Bidding Requirements for Public Construction Contracts and Other Procurement Options - An Overview," 11th Annual Selecting Project Delivery Methods & Bidding Public Construction Contracts, May 2019



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- Speaker, "Specific Claims - Defective and Nonconforming Work," 16th Annual Top Gun Construction Claims Seminar, October 2018
- Speaker, "Bidding Requirements for Public Construction Contracts and Other Procurement Options - An Overview," 10th Annual Selecting Project Delivery Methods & Bidding Public Construction Contracts, May 2018
- Speaker, "Specific Claims - Defective and Nonconforming Work," 15th Annual Top Gun Construction Claims Seminar, October 2017
- Speaker, "Bidding Requirements for Public Construction Contracts and Other Procurement Options - An Overview," 9th Annual Selecting Project Delivery Methods & Bidding Public Construction Contracts, May 2017
- Speaker, "Specific Claims - Defective and Nonconforming Work," 14th Annual Top Gun Construction Claims Seminar, November 2016
- Speaker, "Bidding Requirements for Public Construction Contracts and Other Procurement Options - An Overview," 8th Annual Selecting Project Delivery Methods & Bidding Public Construction Contracts, May 2016
- Speaker, "Specific Claims - Defective and Nonconforming Work," 13th Annual Top Gun Construction Claims Seminar, November 2015
- Speaker, "Dispute Resolution," 13th Annual Top Gun Construction Claims Seminar, November 2015
- Speaker, "Overview of Bidding for Public Construction Contracts and Other Procurement Options," 7th Annual Selecting Project Delivery Models and Bidding for Public Construction Contracts in Ohio, May 2015
- Speaker, "Electrical Construction Legal Issues," The Adequate Wiring Committee of The Miami Valley Seminar, January 2015
- Speaker, "Owner Claims: Addressing Defective Work," Top Gun Construction Claims Seminar, November 2014
- Speaker, "Using Mediation to Resolve a Construction Dispute," Top Gun Construction Claims Seminar, November 2014
- Speaker, "Overview of Bidding for Public Construction Contracts," 6th Annual Selecting Project Delivery Models and Bidding for Public Construction Contracts in Ohio Seminar, May 2014
- Speaker, "Construction Problems: Change Orders, Claims, and Mechanics' Liens," BASA School Facilities Conference, March 2014
- Speaker, "Owners Claims: Addressing Defective Work," Top Gun Construction Claims Seminar, November 2013
- Speaker, "Construction Contracting 101," The Builders Exchange of Central Ohio, September 2013

Experience

School District Board of Education v. Village

Trial victory obtained in favor of a school district, allowing the construction of a multi-million dollar sports, storage and bus facility project to proceed. This dispute arose after the village revised its zoning code during the district's planning process for the new facility. Bricker attorneys Nelson Reid and Tarik Kershah established that the facility would have been permitted under the previous zoning code, the district has immunity from the village's zoning code under the Brownfield Doctrine, and also brought to light the minimal impact that the



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Private developer contracts

Prepared architect, contractor and design-builder agreements for private developer.

Mechanic's liens statutory process and claims

Represented school district in administration of statutory process relating to mechanic's liens and addressed mechanics' lien claims and related law suits for multiple K-12 school projects.

Correction of defective stone façade

Represented library in procuring an architect and contractor to repair a defective stone façade, which exhibited significant issues with water drainage and efflorescence. Represented the library in contemporaneous litigation against the original architect and contractor.

Correction of masonry issues

Served as construction counsel to a school district for its new K-12 school building, constructed through the Ohio School Facilities Commission's Classroom Facilities Assistance Program. Masonry issues were identified in the completed building, and we assisted the district in determining its cause and developing a plan to correct the defect.

\$50 million school district capital improvement program

Assisted school district with procurement and construction issues related to a \$50 million district-wide capital improvement program, which included construction of a new K-12 school building.

Defective flooring

Represented school district in warranty claims against vinyl flooring manufacturer.

Slip repair

Assisted school district with procurement and construction of a large retaining wall related to a slope failure on a school campus.

Architect fee dispute

Represented school district in fee dispute with architect of record for district-wide capital improvements project.



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Faulty roof construction

Successfully represented a library in a lawsuit against six companies responsible for the faulty design and construction of the heavy timber frame roof of the library with damages estimated at \$1.8 million.