



Douglas Mackin

Member

Boston

dmackin@cozen.com | (617) 849-5006

Practice Areas

- Construction Law
- Infrastructure

Industry Sectors

- Real Estate & Construction

Education

- Washington University School of Law, J.D., 2014
- Washington University in St. Louis, B.A., 2011

Bar Admissions

- Massachusetts
- Illinois

Court Admissions

- U.S. District Court -- Massachusetts
- U.S. District Court -- Northern District of Illinois

Affiliations

American Bar Association Forum on Construction Law, Dispute Resolver Blog Editor

Massachusetts Bar Association

Associated General Contractors of Massachusetts

Construction Industries of Massachusetts

Awards & Honors

- Best Lawyers in America "Ones to Watch" 2025

Doug concentrates his practice on construction law, counseling owners, developers, contractors and subcontractors in all phases of a construction project, from contract negotiation through to completion. He routinely assists clients with claims relating to construction or design defects, change order disputes, delay/acceleration issues, mechanics' liens, bonds, and indemnity. He has experience in negotiation, mediation, and arbitration settings, including successfully prosecuting downstream claims for defective work and upstream claims for delay/accelerations claims.

Prior to joining the firm, Doug was an associate with an Am Law 200 firm in Boston and a boutique construction firm based in Chicago. In his previous roles, Doug represented owners, contractors, and sureties in arbitration and litigation, drafted and negotiated construction contracts, developed expert reports and opinions, argued motions, and advised clients regarding ongoing construction projects. He has been involved in a wide range of projects throughout the construction industry, including education, health care, multifamily residential, energy, commercial, and infrastructure.

Doug earned both his legal and undergraduate degrees from Washington University in St. Louis.

Experience

Negotiated a favorable settlement with the U.S. Navy in a case we took over from another law firm on behalf of a full-service general contractor in a dispute relating to delays in a large repair and refurbishment project. The matter involved claims of defective specifications in which the work of removing decades-old coatings ("paint") from the structure of the building and reapplying a modern coating were delayed for years and took much longer than anticipated or allowed for in the contract.

Assisted a university with preparation and negotiation of construction and design agreements for construction and renovation of buildings in Boston for both commercial and residential purposes.

Represented a theater owner in an arbitration against a masonry contractor for claims relating to defective workmanship, obtaining a favorable award of costs to correct such defective workmanship.

Defended a general contractor against a multimillion-dollar claim by the project owner for defective workmanship relating to the mechanical systems at a hotel project. The matter involved numerous depositions, detailed written discovery, and extensive document discovery. The dispute settled prior to the start of trial.

Represented a regional health care and hospital provider in negotiations of AIA A101, A102, A104, A133, B101, and B121 Construction and Design Agreements for a various construction projects, including multimillion-dollar ground-up construction and renovation of new or existing health care facilities.

Counseled an international heavy civil construction conglomerate in connection with a review of RFP and Contract Documents issued by local, state, and federal governments for the client's use in determining whether to bid on such projects.

Defended a cast-in-place concrete contractor against a multimillion-dollar claim asserted by the construction manager for indemnification of a settlement with the owner of the project for the owner's

Douglas Mackin

dmackin@cozen.com

P: (617) 849-5006 | F: (857) 488-4871

©2025 Cozen O'Connor. All rights reserved.



claims of delay and defective workmanship. The dispute involved delay analysis and extensive motion practice. The matter settled after filing a Motion for Summary Judgment on behalf of the contractor relating to the application of the contractual indemnification provision to the specific facts of the dispute and prior to trial.

Represented a general contractor in an arbitration against a bituminous paving contractor for claims relating to defective work and the costs to correct, resulting in a favorable award for the general contractor including recovery of attorneys' fees.

Represented a payment and performance bond surety company in its eight-figure claim against a construction manager to recover costs for delay, denied change orders for out-of-scope work, and violation of the Massachusetts Prompt Payment Act. The bond principal was an electrical contractor. The dispute included detailed review of the voluminous project documents, expert testimony, and dispositive motion practice. The dispute settled prior to arbitration.