

# H. Arthur Bolick II

Partner



#### CONTACT INFO

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#### OFFICE

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Arty Bolick is an experienced litigator and construction lawyer who represents his clients in all manner of court proceedings and arbitrations. He counsels his construction clients throughout all phases of commercial and institutional construction projects, from contracting and claims resolution, to arbitration and litigation if disputes cannot be resolved through negotiation.

[@habolickii](#) [in](#)

#### PRACTICE AREAS

Construction  
Education  
Litigation  
› Complex Business Litigation  
› Construction Litigation  
› Federal Litigation  
› Mediation & Arbitration

#### INDUSTRIES

Accounting & Professional Services  
Banking, Investment & Financial Services  
Construction & Development  
Education  
Health Care  
Insurance  
Manufacturing  
Not-for-Profits  
Real Estate  
Retail  
Transportation  
Utilities

#### EDUCATION

University of North Carolina School of Law  
J.D., 1994, with honors; Order of the Coif; Staff Member, *North Carolina Law Review*, 1992-93  
University of North Carolina at Chapel Hill  
B.A., 1991  
Certified as a North Carolina mediator by the NC Dispute Resolution Commission

#### BAR & COURT ADMISSIONS

North Carolina  
US Court of Appeals  
4th Circuit  
7th Circuit  
Federal Circuit  
US District Court - North Carolina  
Western District  
Middle District

## MY PRACTICE

Eastern District

### CONSTRUCTION LITIGATION

Arty represents owners, contractors and subcontractors in disputes during all phases of a construction project, including negotiating change orders and other claims that may arise during a project, as well as post completion litigation and arbitration. Arty looks to provide value to his clients by saving litigation costs and expense where claims can be resolved through careful negotiation. Of course, not all disputes can be resolved without legal action. When litigation is the best strategy, Arty has more than two decades of experience litigating disputes in the courtroom and through arbitration. Arty has appeared on behalf of clients in both state and federal courts, and before numerous experienced mediators and arbitrators throughout the Carolinas and Virginia.

### CONSTRUCTION CONTRACTING

Arty represents and advises owners, lenders, developers, design professionals, construction managers, general contractors and subcontractors in drafting and negating contracts for all types of commercial and institutional projects. Arty understands that contract negotiation is principally about risk allocation. He works hard for his clients to ensure they do not take on unnecessary risks, and to make sure they are properly compensated for the risks they do agree to absorb. Arty is equally comfortable helping a small contractor perfect its agreements as representing owners, developers and lenders in multi-million dollar construction projects. Over the last decade, Arty has negotiated nearly a billion dollars in construction and design contracts, from small commercial buildings, to apartment complexes, to larger office buildings and public high schools where eight figure budgets are common.

### PUBLIC PROCUREMENT

Arty represents public owners in compliance with public procurement laws, as well as assisting private contractors engaged in bidding public projects. He is particularly knowledgeable regarding the construction manager at-risk delivery method for public entities and has represented both public owners and construction managers in connection with construction manager at-risk projects. Arty is often called upon to assist public owners and contractors to resolve bid protests and other contract award issues. Arty is also experienced in pursuing claims involving payment and performance bonds. He has represented public owners forced to make demand upon performance bond sureties to complete projects, as well as subcontractors making Miller Act claims against a payment bond.

### BUSINESS LITIGATION

Arty represents clients in all manner of sophisticated business disputes, including claims for breach of contract, construction claims, tortious interference, unfair and deceptive trade practices, and disputes surrounding covenants not to compete. He has represented clients in trials in state and federal courts, as well as in appeals to the United States Courts of Appeals for the Fourth, Federal and Seventh Circuits and the North Carolina Court of Appeals.

### EDUCATION

Arty represents a number of public school boards, primarily counseling them in areas related to construction and facilities, including procurement and contracting, as well as claims resolution and litigation.

### DISPUTE RESOLUTION

Arty is a certified mediator in North Carolina. He focuses his mediation practice primarily on construction disputes, but is also well versed in business litigation disputes.

## HONORS

Fellow, [Construction Lawyers Society of America](#) (2018-present)

Selected by his peers for inclusion in [The Best Lawyers in America](#)® for Construction Law (2012-2019)

Recognized by his peers for inclusion in *Business North Carolina's* "[Legal Elite](#)" in Construction Law (2011-2018)

Recognized in [North Carolina Super Lawyers](#) (Thomson Reuters) for Construction Litigation (2012-2018)

Recognized in [Super Lawyers Business Edition](#) for Construction Litigation (2015)

## COMMUNITY INVOLVEMENT

General Counsel, Chapel Hill-Carrboro Chamber of Commerce

Immediate Past Chair (2017-present), Chair (2016-2017), Vice-Chair (2015-2016), [Construction Professionals Network Institute](#)

Member, [Construction Professionals Network, Inc.](#)

Secretary, Board of Directors, [Carrboro Arts Center](#) (2017-present)

Chair, [NC Bar Association Construction Law Section](#) (2012-2013)

Vice-Chair, [NC Bar Association Construction Law Section](#) (2011-2012)

Member, Construction Law Section Council (2010-2011)

Chair, CLE Committee, NC Bar Association Construction Law Section (2007-2008)

Member, Construction & Dispute Resolution Sections, [North Carolina Bar Association](#)

Member, Guilford County Bar Association (1994 – present)

Vice-President Congregation Council, [Holy Trinity Lutheran Church](#) (2005-2008)

## PUBLICATIONS & MEDIA

- "Fourth Circuit Court of Appeals Deals Significant Blow to Traditional Contractor-Subcontractor Relationship," NCBA Change Order Blog, Construction Law Section of the NC Bar Association, 2017 (co-written with John Ormand)
- "Proposed Revisions to North Carolina Lien Laws," Construction Professionals Network, 2011
- "Legal Developments Affecting Green Building: From Cap-and-Trade to Stimulus Grants," Commercial Real Estate Sustainable Forum, 2010
- "A Slow Private Economy Brings More Challenges to North Carolina Public Contracting," *Triad Business Journal*, 2009
- "Public Contracting in a Down Economy," Construction Law Section, North Carolina Bar Association, Winter CLE, 2009
- "A Legal Primer for Architects: Liability Risks and Contract Issues," AIA Triangle Seminar at the NC State School of Design, 2008
- "School Construction Finance and Contracting Methods," NC Council of School Attorneys Conference, 2008
- Brooks Pierce Attorneys Published in Construction Executive, August 9, 2018
- Growth of Modular Construction Raises New Legal Questions, August 1, 2018
- Brooks Pierce Partner Admitted as a Fellow of the Construction Lawyers Society of America, March 16, 2018
- Brooks Pierce Attorney Writes Piece on Arbitration for Practical Law, December 7, 2017
- Brooks Pierce Attorney Arty Bolick Joins Carrboro Arts Center Executive Committee, December 6, 2017
- Brooks Pierce Attorney Joins Board for Carrboro's ArtsCenter, March 31, 2017
- Brooks Pierce Attorney Arty Bolick Becomes Certified Mediator, March 23, 2017
- Fourth Circuit Decision Opens the Door to Joint Employer Liability for Contractors - Could Your Company Be At Risk?, February 14, 2017
- "Drone Use Creates Opportunities and Risks", February 2, 2016
- Brooks Pierce Partner Elected Vice Chair of CPN Institute, May 4, 2015

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