

Publications & News

Press Releases

Offit Kurman Attorney Anthony Potter Negotiates Win with ACEC-PA for Consulting Engineering Companies

October 4, 2024

Earlier this year, Anthony Potter, practice group leader of the construction law practice group, assisted the American Council of Engineering Companies of Pennsylvania (ACEC-PA) in negotiating significant changes to PennDOT Publication 442, which contains the terms and conditions for engineering consultants concerning critical indemnity and insurance provisions impacting engineering firms that contract with PennDOT. Engineering consultants will no longer be required to accept a contractual provision requiring defense of the Commonwealth of Pennsylvania. Rather, engineering consultants will only be responsible to indemnify the commonwealth against any third-party claims resulting from negligent errors or omissions by the consultant. The contract revision negotiated by Potter is a huge win for consulting engineering companies and marks the end of a long-fought campaign by ACEC-PA to make the indemnity provisions balanced and insurable.

Related People

- Anthony Potter

Related Services

- Construction Law, Transactions and Disputes