Albert Bates, Jr.

Partner

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Clients turn to Albert to resolve U.S. and international construction disputes. Albert is known for his ability to quickly identify and address complex legal and business issues for clients, including on multibillion-dollar mega projects.

OVERVIEW

Albert has focused on the resolution of complex U.S. and international construction disputes for more than 35 years. He leads the International Construction Project team and acts as an independent arbitrator, mediator, or dispute board member, as well as acting as counsel, in resolving construction disputes, particularly in power generation, infrastructure, renewables, heavy civil works, and refining and other heavy industrial process facilities. Albert has advised clients and/or arbitrated disputes arising on more than 15 mega-projects in the U.S. and internationally, including projects with capital expenditures of $10 billion.

Consistently recognized by *Chambers USA* as Band 1 in Construction, Pennsylvania, Albert is also recognized in the recently added national specialty category of Construction: International Disputes. He is a fellow of both the American College of Construction Lawyers (former Board of Governors) and the International Academy of Construction Lawyers (Board of Governors), and he is identified as a Leading Lawyer in Construction by *The Legal 500* and listed in *The Best Lawyers in America*, *Who's Who Legal*, and the *International Who's Who of Construction Lawyers*, among other recognitions. In addition, he is active with the IBA's International Construction Projects Committee, the Society of Construction Law, and various other international construction organizations.

In addition to his counsel work, Albert is an active independent arbitrator, having served in more than 200 U.S. and international construction and commercial arbitrations, including numerous disputes with amounts exceeding $100 million. He was recently named to the International Construction Arbitrators Association, a highly selective global list of recognized international construction arbitrators. Albert is a fellow of both the Chartered Institute of Arbitrators and the College of Commercial Arbitrators and is a certified International Mediation Institute mediator. He has arbitrated disputes arising from projects in the United States, Canada, Latin America, Europe, Asia, and the Middle East and has acted in cases administered by the AAA, ICDR, ICC, JAMS, and other arbitral institutions, as well as non-administered matters. From 2008-2019, Albert served as a member of the board of directors of the American Arbitration Association/International Centre for Dispute Resolution, and he is an inaugural member of the AAA's elite Mega-Project Construction Panel of Arbitrators.

REPRESENTATIVE MATTERS

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Construction Projects

- Power Project: Portfolio of Solar Plants – Counsel to the developer/constructor of 100 MW solar projects in northeastern US in an international arbitration over the amount of the development fee payable under the applicable Development and Construction Management Agreement.
- International Power Project: Hydroelectric/Tunneling – Counsel to Strabag SpA and Strabag S.E. in connection with various international arbitration matters arising from the design, construction and financial restructuring of the Alto Maipo Hydroelectric Project near Santiago, Chile.
- International Power Project: Hydroelectric/Tunneling – Counsel to Strabag SpA in conjunction with the negotiation of a nearly $2 billion amended and restated construction contract on the 531 MW Alto Maipo Hydroelectric Project near Santiago, Chile. The financial restructuring of the more than $3 billion project closed in May 2018. The amended project scope includes approximately 73 kilometers of tunnels through the Chilean Andes Mountains.
- International Power Project: Hydroelectric/Tunneling – Counsel to Strabag SpA in conjunction with the resolution of certain disputes on the 531 MW Alto Maipo Hydroelectric Project near Santiago, Chile. The amendment of the construction contract, and subsequent financial restructuring of the project, occurred in March 2017. Strabag's work included approximately 45 kilometers of tunneling in the Chilean Andes.
- Power Project: Nuclear – Counsel to Westinghouse Electric Company LLC in connection with disputes between WEC and its consortium partner arising from the engineering, design, and construction of four WEC AP 1000 nuclear power plants in the southeastern United States, two at Plant Vogtle in Waynesboro, GA and two at the V.C. Summer plant in Jenkinsville, SC.
- Bridge and Highway Project: Public Owner – Construction counsel to New York State Thruway Authority in connection with New York's first design-build bridge and highway project.
- International Military Project: Counsel to the general contractor in an international arbitration with its joint venture partner arising from a military construction project in Guantanamo Bay, Cuba.
- Power Project: Solar – Construction counsel to SolarReserve LLC in connection with the Crescent Dunes Project in Tonopah, NV.
- International Power Project: Solar – Counsel to SunPower Corporation in an international arbitration arising from the construction of a 68 megawatt merchant solar power plant in the Atacama Desert in north-central Chile.
- Infrastructure Project: Public-Private Partnership – Served as Pennsylvania construction counsel to the Pennsylvania Rapid Bridge Replacement Public-Private Partnership, which entails nearly $1 billion in financing, the rebuilding of almost 600 structurally deficient, non-tolled bridges throughout the Commonwealth, and the operation and maintenance of those bridges for 25 years over the course of repayment.
- International Oil Pipeline Project – Counsel to Bechtel, the Program Manager (engineering management, procurement, and construction management) for TransCanada, on US and international matters related to the design and construction of the Keystone Pipeline XL Project.
- Power Project: Supercritical Coal – Arbitration and litigation counsel to Aker Kvaerner Songer, Inc. in a series of cases arising from engineering, procurement and construction of Council Bluffs Energy Center Unit 4, a 790-megawatt supercritical coal-fired electric generating facility in Council Bluffs, IA.
- Power Generation: Hydroelectric – Capital Projects – Construction counsel to Oglethorpe Power in connection with certain capital projects at its Rocky Mountain hydroelectric plant.
- Power Generation: Biomass and Combined Cycle – Capital Projects – Construction counsel to Oglethorpe Power in connection with a multibillion-dollar procurement and construction program for a series of biomass and gas-fired power generating facilities.
- Power Project: Supercritical Coal – Prudency Counsel – Prudency counsel to Kansas City Power & Light with respect to a series of rate cases in Kansas and Missouri arising from the construction of Iatan 2, an 850-megawatt supercritical coal-fire power-generating facility in Iatan, MO.
- Power Generation: Solar – Capital Projects – Construction counsel to SunPower in connection with the engineering, procurement, and construction of several domestic and international solar power generating facilities.

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- Power Project: Coal – AQCS Upgrades – Counsel to Marsulex Environmental Technologies Inc., the EPC contractor, in connection with disputes arising on Flue Gas Desulfurization system upgrades at three coal-fired power plants in Utah.
- International Power Project: Coal – AQCS Upgrades – U.S. construction counsel to Marsulex Environmental Technologies Inc., the EPC contractor, in connection with tenders on Flue Gas Desulfurization system upgrades in Chile.
- Power Project: Combined Cycle – Litigation counsel to Aker Kvaerner Songer, Inc. in two cases arising from the construction of the 580-megawatt combined-cycle Ontelaunee Energy Center near Reading, PA.
- Power Project: Nuclear Remediation – Represented Southern California Edison in defense of claims by its demolition contractor on certain demolition and disposal work at a decommissioned nuclear power facility in California.
- Steel Mill: Greenfield Construction – Litigation counsel to Mannesmann Demag, the EPC contractor for the construction of a greenfield steel plant in Davenport, IA, against nearly $300 million in claims asserted by IPSCO Steel, Inc.
- Air Separation Plant – Arbitration counsel to Kvaerner Industrial Constructors, Inc. in arbitration proceedings arising from the construction of an air separation plant in Freeport, TX.
- Asset Mill: Bankruptcy Matter – Litigation counsel to SMS Demag, Inc. and SMS Meer GMBH in two related cases arising from the supply and installation of an assel and stretch-reducing mill in Rosenberg, TX.
- Sinter Plant: AQCS Project – Litigation counsel to United States Steel Corp. in a breach of contract, breach of warranty and engineering negligence action involving deficiencies in the design and construction of a sinter plant emissions-control system at its Gary Works.
- Steel Mill Dismantling – Litigation counsel to a dismantling contractor in a $70 million loss of productivity and lost-profits claim arising from the owner's alleged actions and/or inactions on 10 large dismantling projects throughout the eastern United States.
- Pharmaceutical Plant: Greenfield Construction – Arbitration counsel to PPG Industries in a series of arbitration proceedings related to the engineering, procurement, and construction of a pharmaceutical intermediate plant in LaPorte, TX.
- Norwegian Naval Vessels – Construction counsel to the controls, packaging and ancillary functions subcontractor in a delay, disruption and inefficiency claim against Pratt Whitney for the propulsion systems for Skjold Class Missile Fast Patrol Boats for the Norwegian Navy.
- Universal Studios Florida: CitiWalk Project – Litigation counsel to Baker Mellon Stuart Construction Inc., the general contractor, in a series of related cases in federal and state court in Florida arising from the construction of the Universal Studios Florida "CitiWalk" project.
- Pennsylvania Capital Addition – Litigation counsel to the Commonwealth of Pennsylvania in a series of disputes arising from the construction of a $125 million addition to the State Capitol Building.
- Mixed-Use Complex: Greenfield Construction – Litigation counsel for the architectural joint venture and its consulting engineers in a multimillion-dollar loss of productivity and additional services claim against the owner/developer of a convention center hotel, office, and retail complex in Pittsburgh, PA.
- Infrastructure Project: Highway and Bridge Project – Prosecution of a claim for engineering additional fees for Michael Baker Jr., Inc. and defense of breach of contract and engineering negligence action by PennDOT relating to the Market Street Bridge in Williamsport, PA.
- Infrastructure Project: Subway Tunnel – Arbitration counsel to the Port Authority of Allegheny County in a multimillion-dollar delay, impact and differing-site-condition claim by the general contractor and its tunneling subcontractor on the Mt. Lebanon Tunnel for the Light Rail Transit System.

Commercial, Environmental, and Other Business Disputes

- Supply Contract – Representation of a large U.S. producer of alumina in an international arbitration action against a United Arab Emirates metals trading company and its Indian parent for refusing to accept delivery of contracted quantities of alumina.

- Asset Sale – Representation of Beazer East, Inc. in litigation involving the indemnification obligations of the parties for certain environmental remediation costs pursuant to a 1974 asset purchase agreement.
- Asset Sale – Representation of Beazer East, Inc. in an arbitration arising from the leveraged buyout of the Commercial Roofing Division of Koppers Company, Inc. This arbitration involved whether the purchaser had agreed to assume and indemnify the seller against certain commercial roofing warranty and product liability claims.
- Asset Sale – Representation of Beazer East, Inc. in litigation involving the indemnification obligations of the parties for certain environmental remediation costs pursuant to a 1978 asset purchase agreement.
- Asset Sale – Representation of Baker Heavy & Highway and its parent, Michael Baker, Inc., in a breach of contract, breach of warranty and indemnification action arising from the sale of certain assets of Baker Heavy & Highway, Inc.
- Asset Sale – Defense of potential purchaser of a collection of businesses involved in the manufacture, sale, service, and maintenance of sportfishing vessels in North Carolina.
- Environmental Cost Recovery – Representation of Beazer East, Inc., a former owner of a coke and coal chemical by-product recovery and refining plant, in a lengthy CERCLA cost-recovery litigation involving the Woodward Coke plant in Birmingham, AL.
- Environmental Cost Recovery – Representation of Beazer East, Inc., a former owner of a coke and chemical by-product recovery and refining plant, in a lengthy CERCLA and RCRA cost- recovery litigation involving the Toledo Coke plant in Toledo, OH.
- Environmental Cost Recovery – Representation of Beazer East, Inc., a former owner of a number of coal chemical by-product recovery, refining and disposal facilities, in a number of mediations and other alternative dispute resolution procedures involving the allocation of responsibility among various potentially responsible parties for environmental remediation and removal costs.
- Insurance Coverage – Representation of North River Insurance Co. in a $20 million insurance coverage matter involving whether current owner had any interest in, or is otherwise afforded coverage by, umbrella and excess-umbrella policy issues to former owner prior to the divestiture of certain business units when former owner remained in business and sought to apply coverage to other potential losses.
- Insurance Coverage – Representation of general contractor in an insurance coverage dispute arising under a “wrap-up” insurance policy as a result of the failure of structural members during the construction of the Greater Pittsburgh International Airport.
- Bankruptcy Matter – Representation of the Official Committee of Unsecured Creditors in connection with the investigation and assessment of the validity and avoidability of certain security interests of the secured lenders, and assessment of potential claims against the directors and officers of the debtor, in the Chapter 11 reorganization of Birch Telecom, Inc.
- Bankruptcy Matter – Representation of PNC Bank, the secured lender, in adversary proceedings to recover for deterioration of cash collateral as a result of the alleged failure of Visteon Corp. and Delphi Automotive Systems, LLC, to adequately provide post-petition debtor-in-possession financing to a tier-2 automotive supplier.

AWARDS

- *Best Lawyers in America®:* “Lawyer of the Year” in Construction Law (2010), “Lawyer of the Year” in Mediation (2022), and “Lawyer of the Year” in Litigation – Construction (2026)
- *Best Lawyers in America®:* Arbitration (2011-2027), Mediation (2011-2027), Construction Law (2007-2027), Litigation – Construction (2011-2027)
- Fellow, International Academy of Construction Lawyers (2021 – present) (Board of Governors 2024 – present)
- Fellow, American College of Construction Lawyers (2012-present) (Board of Governors (2021 – 2025)
- Fellow, College of Commercial Arbitrators (2009-present)
- Certified Mediator, International Mediation Institute

- *Chambers USA:* Construction, Pennsylvania (2014-2026) and Construction: International Disputes – Nationwide (2025-2026)
- *Lexology,* Client Choice Award, Number 1 Construction Lawyer in USA, Pennsylvania (2026)
- *Super Lawyers®:* Pennsylvania (2004-2023)
- Fellow, College of Commercial Arbitrators (2009-present)
- Certified Mediator, International Mediation Institute
- *Legal 500 United States:* named a "Leading Individual" (2014-2018); "Recommended Attorney" for Construction (2014-2020); Real Estate: Construction (including construction litigation) (2022-2026) and Dispute Resolution: International Arbitration (2026)
- Rated AV Preeminent by Martindale-Hubbell®
- *Top 50 Pittsburgh Super Lawyers* (2013, 2017, 2019, 2020)
- Listed in *Who's Who Legal: Construction*, *Who's Who Legal: Thought Leaders – Construction*, and the *International Who's Who of Construction Lawyers*

TOP AREAS OF FOCUS

- Construction
- International Arbitration
- International Construction Projects

ALL AREAS OF FOCUS

- Construction
- Construction Litigation
- Energy Construction
- International
- International Arbitration
- International Construction Projects
- Litigation + Trial

PROFESSIONAL/COMMUNITY INVOLVEMENT

- Fellow, Chartered Institute of Arbitrators, 2018-present
- Member, Board of Directors, American Arbitration Association/International Centre for Dispute Resolution, 2008-2019
- AAA MegaProject Panel Arbitrator
- AAA Master Mediator Panel
- Past AAA Master Panel of Construction Arbitrator
- ICDR International Arbitrator
- ICC International Arbitrator
- Dispute Board Member
- International arbitrator and mediator, CPR Institute for Dispute Resolution
- Former member of CPR Construction Advisory Committee
- Former member of CPR International Arbitration Committee
- Former member of CPR Arbitration Rules Revision Committee

- Member, Arbitration Committee, International Construction Projects Committee, International Bar Association
- Chair, Construction Law Section, 2010-2011; member, Construction Law and Civil Litigation Sections, Allegheny County Bar Association
- Fellow, Allegheny County Bar Foundation

EDUCATION AND CERTIFICATIONS

EDUCATION

- Vanderbilt University Law School, J.D., 1987, associate editor, *Vanderbilt Journal of Transnational Law*
- Vanderbilt University Owen Graduate School of Management, M.B.A., 1987, finance
- Washington & Jefferson College, B.A., *cum laude*, 1983, economics and political science

BAR ADMISSIONS

- District of Columbia
- Pennsylvania

COURT ADMISSIONS

- U.S. Court of Appeals, Third Circuit
- U.S. Court of Appeals, Fifth Circuit
- U.S. Court of Appeals, Sixth Circuit
- U.S. Court of Appeals, Eighth Circuit
- U.S. Court of Appeals, Eleventh Circuit
- U.S. Court of Appeals, District of Columbia Circuit
- U.S. Court of Federal Claims
- U.S. District Court, Western District of Pennsylvania
- Supreme Court of the United States

SPEAKING ENGAGEMENTS

- Speaker, Chilean Society of Construction Law's 5th International Construction Law Congress, October 29, 2026.
- Speaker, "Inside the Tribunal: Managing the Case and Reaching the Decision," Osgoode National Forum on Construction Arbitration, October 15, 2026.
- Speaker, "Witness Statements vs. Direct Examination: How International Arbitration Practices Are Being Applied in Domestic Construction Arbitration," 20th Annual AAA Construction Conference, June 12, 2025.
- Speaker, "Ethical Considerations in International Arbitration: How Parties and Counsel Effectively Navigate Professional Responsibility Obligations Raised in International Arbitration Proceedings," The Art of International Arbitration CLE: Practical Advice in International Arbitration, November 2, 2023.
- Panelist, "Impartiality in Arbitration: Perspectives and Risks of a Party-Appointed Arbitrator," AtlAS Forum, October 4, 2023.
- Speaker, 17th ICC New York Conference on International Arbitration, September 28-29, 2022.
- Speaker, "Construction Law Section Q&A with National Panel of Construction Arbitrators," State Bar of Georgia, September 27, 2022.
- Speaker, "People at Work – A Construction Arbitrator's Tale," Ask The Arbitrator, September 21, 2022.

- Speaker, "Third-Party Discovery in Arbitration: Judicial and Arbitral Perspectives," University of Pittsburgh School of Law Center for International Legal Education, April 21, 2022.
- Panelist, "Unique Considerations in Arbitrating International Construction Mega Project Disputes," AAA 2021 Construction Conference, June 10, 2021.

PUBLICATIONS

- Co-author, "International Arbitration Experts Discuss The Major Challenges For Arbitration In 2026," *MEALEY'S® International Arbitration Report*, March 2026.
- Co-author, "The AI Arbitrator: What It Is, What It Isn't And Where It's Going," *Law360*, December 15, 2025.
- Co-author, "Defending a Construction Arbitration," *Thomson Reuters*, October 21, 2025. Republished in *Practical Law The Journal* in April 2026.
- Co-author, "Contractor's Claims, Remedies and Reliefs," *Global Arbitration Review*, August 12, 2025.
- Co-author, "International Arbitration Experts Discuss the Efficiency of Artificial Intelligence Tools in International Arbitration," *Mealey's® International Arbitration Report*, June 2025.
- Co-author, "Arbitrating Construction Disputes," *Reuters Practical Law: The Journal*, April 2025.
- Co-author, "Discovery (Disclosure) in US Construction Arbitration," *Thomson Reuters Practical Law*, March 2024.
- Co-author, "GAR Know How Construction Arbitration: USA," *Global Arbitration Review (GAR) Know-How Series*, August 2023.
- Co-author, "International Arbitration Experts Discuss the Impact of Artificial Intelligence on International Arbitration," *Mealey's International Arbitration Report*, June 2023.
- Co-author, "Construction Arbitration," *Practical Law The Journal*, May 2023.
- Co-author, "Troutman Pepper Guide to International Arbitration," *Troutman Pepper*, April 17, 2023.
- Co-author, "A Change in Course? The Eleventh Circuit May Soon Join Most Circuits on the Applicability of FAA Grounds to Vacate Nondomestic Arbitration Awards," *Troutman Pepper*, December 14, 2022.
- Co-author, "Standard Arbitration Clause for Construction Contract," *Thomas Reuters Practical Law*, December 2022.
- Co-author, "GAR Know How Construction Arbitration: USA," *Global Arbitration Review (GAR) Know-How Series*, September 2022.
- Co-author, "Construction Arbitration in the U.S.," *Practical Law Arbitration*, January 2022.
- Co-author, "Arbitrating Construction Disputes in the U.S.," *Practical Law Arbitration*, January 2022.
- Co-author, "Arbitration Update – The 2021 ICDR Arbitration Rules: A Welcome Update for International Construction Arbitration," *Construction Law International*, June 25, 2021.
- Co-author, "2020 Updated to the IBA Rules: Modest Changes for Challenges New and Old," *Mealey's International Arbitration Report*, March 2021.
- Co-author, "Int'l Arbitration Rules Revision Reflects Flexible Approach," *Law360*, February 25, 2021.
- Co-author "International Arbitration Experts Discuss the New LCIA Rules," *Mealey's International Arbitration Report*, February 2021.
- Co-author, "International Arbitration Experts Discuss the Impact on the Global Economy," *Mealey's International Arbitration Report*, LexisNexis, November 2020.
- Co-author, "Dispute Boards: An Approach to the Efficient Resolution of Disputes in the Construction Sector," *Dispute Resolution Magazine*, American Bar Association, October 9, 2020.
- Co-author, "Zooming Ahead: Challenges and Considerations for Virtual International Arbitration Proceedings in the Wake of COVID-19 Pandemic," *Mealey's International Arbitration Report*, August 25, 2020.
- Co-author, "International Arbitration Experts Discuss the Future of Arbitration," *Mealey's International*

Arbitration Report, July 31, 2020.

- Co-author, "GAR Know How Construction Arbitration: USA," *Global Arbitration Review (GAR) Know-How Series*, July 2020.
- Co-author, "Internationalizing Domestic Arbitration: How International Arbitration Practices Can Improve Domestic Construction Arbitration," *Dispute Resolution Journal*, June 22, 2020.
- Co-author, "Supreme Court Interprets New York Convention to Allow Arbitration Agreement Nonsignatories to Invoke International Arbitration," *Client Alert*, June 2, 2020.
- Co-author, "International Arbitration Experts Discuss the Impact of COVID-19 on Arbitration in 2020 and Beyond," *Mealey's International Arbitration Report*, May 26, 2020.
- Co-author, "ADR for Construction Disputes During COVID-19: How to Manage Dispute Resolution Before and After the Dust Settles," *ConsensusDocs*, April 14, 2020.
- Co-author, "The Intersection of International Arbitration and Construction Disputes: A Review of the 2019 Queen Mary University of London International Arbitration Survey," *The Construction Lawyer*, April 14, 2020.
- Co-author, "Dispute Boards: A Different Approach to Dispute Resolution," Chapter From *International Mediation: The Comparative Law Yearbook of International Business*, April 1, 2020.

MEDIA COMMENTARY

- Interviewed, "Albert Bates Jr. and R. Zachary Torres-Fowler of Troutman Pepper Locke LLP Discuss the 'Industry Unto Itself' of International Construction Arbitration," *Mealey's International Arbitration Report*, September 2025.