

ATTORNEY

J. David  
Arkell



David's area of practice is construction law, and particularly arbitration and mediation of construction disputes. David has practiced law for more than 40 years and has regularly dealt with disputes regarding delays, differing site conditions, damages, inefficiency, contract interpretation and breach, surety and insurance issues, construction and design defects, mechanics' liens and bond claims, and other issues.

David is a sole arbitrator, chairman, and panel member in construction disputes involving delays, scheduling, inefficiencies and loss of productivity, changes, unforeseen conditions, construction and design defects, termination, damages, contract interpretation, and many other factual and legal issues arising from construction disputes. Size of disputes arbitrated ranges from several tens of thousands to tens of millions of dollars.

David has mediated and arbitrated a multitude of disputes throughout the Rocky Mountain region in cases involving stakes from the mid five figures to the high seven figures. He is highly trained in alternative dispute resolution, and written and spoken on the topic (and many other construction-law topics) to bar associations, trade groups, legal educational organizations, and in other seminars for clients, construction professionals, and other groups. David is a member of the American Arbitration Association's regular panel of arbitrators and its national panel for large and complex cases and is on the AAA's Colorado Mediation Panel. He also accepts arbitration and mediation cases as a "private" ADR neutral.

- [View David's Arbitration Resume](#)
- [View David's Mediation Resume](#)

## AREAS OF CONCENTRATION

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Advanced Energy  
Arbitration and Mediation  
Commercial and Retail  
Construction  
Construction  
Energy Construction  
Food and Agriculture  
Construction  
Health Care Construction  
Industrial Construction  
Litigation and Advocacy  
Multifamily Housing and Condo  
Construction  
Public-Private Partnerships (P3)

## EDUCATION

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University of Colorado, J.D.,  
*Colorado Law Review*  
Claremont McKenna College, B.A.

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## PUBLICATIONS AND ARTICLES

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- Author  
"Uncertainty in Arbitration Agreements for Contracts"  
*ENR - Contractor Business Quarterly*, October 2016

## SPEAKING ENGAGEMENTS AND PRESENTATIONS

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David has presented numerous seminars on construction law topics for clients, construction trade groups, and related construction organizations during his career. Topics include construction and design defects, delays, damages, differing site conditions, contracts, mechanics' liens, bonds, inefficiencies, scheduling, bid protests, and dispute resolution topics.



In its 2021 guide, *Chambers USA: America's Leading Lawyers for Business*, Chambers and Partners ranked J. David Arkell as a leading lawyer in construction law in Colorado.

## CREDENTIALS

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5280 Magazine Top  
Construction Lawyer  
2015 - 2021

Best Lawyers®: Construction  
Law and Litigation -  
Construction, 2007 - 2022;  
Arbitration, 2022

Lawyer of the Year, Best  
Lawyers®: Construction  
Law Denver, 2012 and 2018;  
Litigation-Construction Denver,  
2015

Colorado Super Lawyer:  
Construction - Litigation 2006 -  
2010, 2012 - 2019; Alternative  
Dispute Resolution, 2020 - 2021

Chambers USA: Colorado Real  
Estate: Construction, 2005 -  
2014, 2017, 2019 - 2021

## AFFILIATIONS

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American Arbitration Association  
National Construction Industry  
Arbitration Panels for Regular  
and Large and Complex  
Cases; Construction Industry  
Mediation Panel

American Bar Association,  
Forum on the Construction  
Industry

Associated General Contractors  
of Colorado - Former Board  
Member, Former member;  
Associates Council Former  
President

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Colorado Bar Association  
Alternative Dispute Resolution  
Section; Construction Law  
Section, Former Chair  
Colorado Legislative Committee  
Denver Bar Association  
Alternative Dispute Resolution  
Section; Construction Law  
Section, Former Chair

**ADMITTED**

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Colorado State Courts  
U.S. Court of Appeals for the  
Tenth Circuit  
U.S. District Court -  
District of Colorado  
U.S. District Court -  
District of Nevada, pro hac vice  
U.S. District Court -  
District of Utah, pro hac vice  
U.S. District Court -  
District of Wyoming, pro hac  
vice

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