

OF COUNSEL

Mary T. Feeney

T. 508-926-3352 E. mfeeney@bowditch.com

OVERVIEW

Mary Feeney is a seasoned business lawyer and advisor focused on helping clients in Massachusetts and the throughout the U.S. in the construction, higher education and real estate sectors. Clients seek Mary's problem-solving acumen for a wide range of business, non-profit and institutional issues and concerns, including:

- Design and construction services
- Real estate development and land use
- General representation of colleges, universities and secondary schools
- Commercial and retail leasing and
- Facilities-related regulatory, code and licensing matters

Mary has been crafting design, construction, procurement, technology, consulting, and services project and facility related agreements on behalf of owners (and occasionally to contractors and subcontractors) during the entirety of her time providing legal services and as a substantial component of her practice. She employs different approaches for each project, tailored to the needs of the client and the project.

Mary also has extensive experience representing top administrators of colleges, universities and secondary schools in business, operational, regulatory and licensing matters. She specializes in construction, real estate, student and academic affairs, including faculty relations, and governance matters, often leading teams of lawyers and other professionals. "I draw on years of service representing very many educational institutions and nonprofit organizations including my years as inhouse counsel in the Office of the General Counsel at Harvard University," Mary notes.

Mary is a frequent lecturer on education law, construction, land use, and regulatory topics and is an active participant in Bowditch's College and University Roundtable program.

Besides Work

"I'm trying to learn the piano," Mary says. "I've wanted to play since I was a child." She's also taking Spanish lessons – toward her goal of travel to Central and South America.

©2026 Bowditch & Dewey LLP. All Rights Reserved.

EXPERIENCE

EXPERIENCE

Helping land trusts in New England

Mary represented a land trust in the acquisition of 12.5 acres from a municipality for the purpose of preservation, public access and education, sustainable agriculture and animal husbandry and responsible environmental stewardship, including preparation of draft Town Meeting votes and providing advice on possible bid challenges under the public procurement laws. “The land had environmental and scenic value,” Mary described, “and was adjacent to agricultural property.” Mary added, “I draw on my real estate experience, working, for instance, on conservation restrictions and overlay districts.”

Getting a facility designed and built at an institution of higher education

A college needed help with the design and construction of a student center and dining facility. According to Mary, “This was a terrific project with complex contract provisions for phased construction with multiple guaranteed maximum price components. Because I was involved in the early planning of the contracting work, including contributing to the RFP preparation, the negotiation of a construction management agreement was substantially reduced, saving the client time and legal costs.”

OTHER EXPERIENCE

- Drafted and negotiated 95-year ground lease for development of an environmental center on a college campus and drafted and negotiated a construction contract for development of a new facility with a project cost of $25 million
- For a college consortium, Mary negotiated a purchase agreement for land and drafted and negotiated a Design-Build Agreement for the development of a $13.5 million library annex/book depository and a long-term lease with an institutional user
- Mary has advised non-profit boards on governance matters including board restructuring and comprehensive bylaw revisions
- Design and construction contracts for the complete construction costing in excess of $50 million for tenant improvements within the building shell being constructed for a project in San Diego, including the construction of a separate central plant, loading dock area and other improvements at the project site, as well as providing assistance in the preparation of the RFP for construction management services
- Design and construction management agreement for a college’s new community and admissions center; the project also included preparing and negotiating a perpetual Conservation Restriction on other land owned by the College, and drafting and negotiating a gift agreement with the donor
- Negotiated solar power purchase agreements and leases of land for solar installations on behalf of nonprofit owners
- Negotiated comprehensive agreements for campus-wide dining, security and facilities management services at colleges in the Boston area
- Serve as the Board-designated General Counsel for an independent secondary school
- Obtained variance for the Massachusetts Architectural Access Board for clients
- For a Central Massachusetts college, obtained a zoning variance for a new building addition
- Provided legal services to a Western Massachusetts college ranging from advice on faculty reappointments, student academic misconduct, gift agreements, and land use licenses and agreements

©2026 Bowditch & Dewey LLP. All Rights Reserved.

AFFILIATIONS

- Director, YWCA Central Massachusetts
- Trustee and Treasurer, Applewild School
- Member, National Association of College and University Attorneys
- Member, NAIOP Massachusetts Government Affairs Advisory Committee
- Member, NAIOP Massachusetts Construction/Contracts sub-committee
- Member, Colleges and Universities Section, Boston Bar Association
- Member, Development Committee, Boston Chamber of Commerce

HONORS

- *Best Lawyers in America*, selected by her peers for inclusion in the field of Education Law since 2008
- Recipient, 2018 Government Affairs Award, NAIOP Massachusetts

ARTICLES & TALKS

ARTICLES

- "COVID-19 Legal Impacts Far-Reaching for RE," The Real Reporter, June 2, 2020
- "Interpreting Termination for Convenience Clauses: A.L. Prime Energy Consultant, Inc. v. MBTA," Bowditch & Dewey, May 7, 2018
- "New Massachusetts Retainage Law In Effect For Private Construction Contracts On November 6, 2014," Bowditch & Dewey, November 6, 2014
- "New Concerns for Real Estate Brokers and Attorneys in Making Representations," Bowditch & Dewey, April 26, 2013
- "Revisions to the Massachusetts Building Code," Bowditch & Dewey, December 15, 2010
- "Surviving the Storm: A Guide for Non-Profits," Bowditch & Dewey, May 11, 2009

TALKS

- "Risk Doctors: Applying Hard-Earned Lessons from Lawyers for Better Construction Project Outcomes," 2019 Higher Education Real Estate Lawyers (HEREL) Conference, Los Angeles, California, October 18, 2019
- Client Institute 2017 – Improving Design & Construction Projects, Bowditch & Dewey, Waltham/Boston, Massachusetts, March/April 2017
- "Study Abroad Programs: Your Legal Responsibilities and Obligations," Bowditch & Dewey College and University Roundtable Series, South Hadley/Worcester, Massachusetts, April 2016
- "Design and Construction Projects: Legal, Contracting, Procurement, and Risk Management Literacy," Bowditch & Dewey College and University Roundtable Series, South Hadley/Worcester, Massachusetts, March 2015
- "Insurance Across Campus," Bowditch & Dewey College and University Roundtable Series, Worcester, Massachusetts, March 14, 2014
- "The 'Direct Threat' Conundrum," Bowditch & Dewey College and University Roundtable Series, South Hadley/Worcester, Massachusetts, September 2012

©2026 Bowditch & Dewey LLP. All Rights Reserved.

- Students in Overseas Programs: Student Discipline; Applicability of Title IX, Section 504, and ADA; and Managing Risk and Liability," Bowditch & Dewey, South Hadley, Massachusetts, April 13, 2012
- "Accommodating Service Animals and Emotional Support Animals: The Intersection of the ADA, Section 504 and Fair Housing Act," Bowditch & Dewey College and University Roundtable Series, South Hadley/Worcester, Massachusetts, March 2012

BAR ADMISSIONS

- Massachusetts

EDUCATION

- J.D., Suffolk University Law School
- A.B., Mount Holyoke College

©2026 Bowditch & Dewey LLP. All Rights Reserved.