



David J. Butzer

SENIOR COUNSEL

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Overview

David Butzer advises clients on government contracts and private-sector construction projects located in the United States and overseas. As a former law clerk at the U.S. Court of Federal Claims, David advises contractors and subcontractors on a wide range of issues involving the entire life span of a contract, from bidding to post-completion issues.

David has advised clients on bid protests before the U.S. Government Accountability Office and the U.S. Court of Federal Claims, including a protest of a multiyear \$50 billion governmentwide acquisition contract.

Before contract performance begins, David advises general contractors and subcontractors on drafting and negotiating subcontracts. Once performance begins, he advises clients on preserving and documenting claims. As disputes develop, David advises clients on requests for equitable adjustments and claims under the Contract Disputes Act (including pass-through claims) and appeals of contracting officers' final decisions on claims.

On both private and public projects, David has helped clients on issues ranging from simple payment disputes to complex claims for delay, inefficiency, and construction defects.

David has also co-authored multiple publications on construction law and government contracts.

Experience

Federal Government Contracts

David counsels clients on government contract issues, including bid protests, claims, and appeals. His government contracts experience includes:

- **Bid Protests:** David has been counsel in bid protests at the GAO and U.S. Court of Federal Claims, including a protest of a multiyear \$50 billion governmentwide acquisition contract (GWAC).
- **Claims and Appeals:** David advises clients on claims they intend to submit to contracting officers, and on appeals of contracting officers' final decisions.
- **Domestic and Overseas Projects:** David has assisted clients with claim resolution on domestic and overseas projects, such as agency headquarters and embassies.
- **Bond Claims:** David has assisted clients in the prosecution and defense of Miller Act bond claims.

Private Construction Matters

- **Construction Disputes:** David has worked on numerous matters involving construction disputes among project owners, general contractors, subcontractors, and sureties.
- **Subcontractor Representation:** David assists subcontractors in closing out projects and recovering final payment through cost-effective means such as mechanic's liens and bond claims.
- **Commercial Tenants and Landlords:** David's cases sometimes involve commercial tenants and landlords.
- **Tieback/Underpinning Agreements:** David has assisted neighbors to construction projects negotiate tie back/underpinning agreements to protect them from damage to their properties during construction.

All News

08.14.2019 Carlton Fields Adds Five Attorney Team to DC Construction Group

08.01.2019 Carlton Fields Expands Renowned Construction Practice

Credentials

EDUCATION

- George Mason University School of Law (J.D., magna cum laude, 2000)
- Washington & Jefferson College (B.A., 1997)

COURT ADMISSIONS

- U.S. Court of Appeals, Eighth Circuit
- U.S. Court of Federal Claims
- U.S. District Court, District of Columbia

BAR ADMISSIONS

- District of Columbia
- Maryland
- Virginia

CLERKSHIPS

- Hon. Diane Gilbert Sypolt, U.S. Court of Federal Claims

Background

- McManus & Felsen LLP, Washington, D.C. (2001–2019)
- Law Clerk to the Honorable Diane Gilbert Sypolt, U.S. Court of Federal Claims (2000–2001)

Areas of Focus

PRACTICES

- Construction Litigation
- Construction Transactions
- Government Contracts
- International Arbitration of Construction Contracts

INDUSTRIES

- Construction