



William A. Lichtig | *Shareholder*

Professional Experience

Will joined McDonough Holland & Allen's Construction Practice Group in 1984. His practice is focused on construction, surety, and public contract law. He represents contractors, public and private owners, material suppliers, and sureties in preparing contract documents, bid protests, construction administration, and contract disputes. Will also serves as mediator, arbitrator, and special master. He has lectured on Lean project delivery, mechanic's liens and related remedies, construction claims and disputes, alternative dispute resolution, and other aspects of construction and public contract law. He also has been an instructor for CEB in its trial skills courses and an advisor to several CEB construction law publications.

Representative Matters

Special construction counsel for the California Prison Health Care Receivership's \$8 billion design and construction program to update and expand the state prison medical infrastructure.

Special counsel to Sutter Health, a major Northern California health care organization, providing a full range of legal services in support of their \$6.5 billion design and construction program. Instrumental in instituting innovative project delivery solutions including Lean Project Delivery and unique supporting documents including an Integrated Agreement for Lean Project Delivery and an Incentive Fee plan.

Lead counsel seeking recovery against design professionals for alleged violations of the Americans with Disabilities Act.

Lead counsel pursuing multi-million dollar contractor claims for delay, disruption, escalation and design defects against major retail developer.

Lead counsel for construction manager defending the validity of the Construction Management At-Risk delivery method for public agencies in California.

Presentations/Publications

Co-author, "Managing Integrated Project Delivery," 2009 CMAA (Construction Management Association of America)

Presenter, "Integrated Project Delivery Method and Project Examples," CMAA (Construction Management Association of America) Northern California Chapter: Alternative Project Delivery Methods Course, October 2009

Co-presenter/Co-author, "Integrated Project Delivery: Different Outcomes, Different Rules," 48th Annual Meeting of Invited Attorneys, May 2009

Author, "Integrated Form of Agreement for Lean Project Delivery."

Presenter, "Implementing Successful Lean Project Delivery Under an Integrated Agreement, ASHE Health Facility Planning, Design and Construction (PDC) Conference, March 2009

Admitted to Practice

State Bar of California, 1982

Education

University of California,
Davis School of Law
J.D., 1982

Production Editor, *UC Davis
Law Review*

University of California,
Santa Cruz
B.A., Anthropology, 1979

Sacramento Office

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Practice Focus

Construction Law
Surety
Public Contract Law
Arbitration & Mediation



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Presenter, "Legal View of BIM and Integrated Practice," Lean, Green and Integrated – High Performance BIM Workshop, Construction Specifications Institute Sacramento Chapter, February 2009

Presenter, "Giving Life to Integrated Project Delivery: The California Prison Healthcare 'Co-opetition' – A Mix of Design-Build and Lean Construction," Construction Management Association of America National Conference, October 2008

Presenter, "Introduction to Lean Design Seminar," Lean Construction Institute, September 2008

Presenter, "Collaborative Documents: The Ethics and Practicalities," The ConsensusDocs, American Bar Association Forum on Construction Fall Meeting, September 2008

Presenter, "Three Opportunities Created by Lean Construction: Better Coordination, Changing the Structure of Work (including in design) and Projects as Collective Enterprises," American Institute of Architects-New York Chapter, April 2008

Presenter, "Tri-Party Agreements," New Standard Contract Documents for Capital Construction Program, Northwest Construction Consumer Council and Associated General Contractors of America, March 2008

Contributor, "Integrated Project Delivery Guide," American Institute of Architects and AIA California Council, November 2007

Author, "Standard Form of Tri-Party Agreement for Collaborative Project Delivery," *ConsensusDocs300*

Presenter, "Redesigning Project Delivery: The Integrated Agreement for Lean Project Delivery," Lean Construction Institute, Cascadia Chapter meeting, March 2008

Presenter, "Integrated Form of Agreement: A Relational Contract that Supports Lean Project Delivery," American College of Construction Lawyers, February 2008

Presenter, "Integrated Project Delivery: Transformational Design and Construction Through Integration and Technology," 2007 Healthcare Project Delivery Conference, Design-Build Institute of America / Construction Owners Association of America, December 2007

Author, "Projects as Patients: What Can We Learn from the Medical Profession," *Practice Management Digest*, The American Institute of Architects, Fall 2007

Presenter, "Building Information Modeling: Business Improvement or Industry Transformation?" DPR Regional Leaders' Summit, November 2007

Presenter, "Relational Contracting: An Implementation Status Report," Lean Construction Institute 2007 Congress, November 2007



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Presenter, "Integrated Form of Agreement: A Relational Contracting Style the Works," CURT National Construction Owners Conference, November 2007

Presenter, "Panel Discussion on Integrated Contractual Relationships," The Change Conference, AIA California Council and McGraw Hill Construction, June 2007

Presenter, "Redesigning Project Delivery: Sutter Health's Integrated Agreement for Lean Project Delivery," Improving Financial Management for Hospital Design & Construction Conference, May 2007

Presenter, "One-Stop Shopping: The Integrated Agreement for Project Delivery," Construction Owners Association of America, Spring Owners Leadership Conference and Owner Training Institute, May 2007

Presenter, "Integrated Project Delivery," Lean Construction Institute's 8th Annual Lean Congress, November 2006; NBBJ Architects, International Process Leaders' Meeting, November 2006; Design Professionals Risk Control Group's 2006 Loss Prevention Convocation, October 2006

Author, "Forging a Leaner Path for Design, Construction," *East Bay Business Times*, April 2005

Author, "Sutter Health: Developing a Contracting Model to Support Lean Project Delivery," *Lean Construction Journal*, April 2005

Presenter, "Lean Project Delivery" for Lean Design Forum, Berkeley California; Associated General Contractors of California/CELSOC Joint Committee; Lean Congress, Park City, Utah; Relational Contracting Symposium; and Construction Users Round Table Annual Conference

Instructor, Construction Law, Management, Design and Payment Remedy for the Sacramento region National Business Institute and Lorman Education Services

Instructor, Arbitration and Mediation for Sacramento Arbitration and Mediation Day 1993, American Arbitration Association

Instructor, Construction Law, Public Construction Law, School Construction and Contractor Claims for the Associated Builders & Contractors and Vanir Construction Management

Instructor, Alternative Dispute Resolution for U.C. Davis Construction Management Program

Leadership Positions/Affiliations

Past Board Member, Associated General Contractors of California – Delta-Sierra District

Member, Associated General Contractors of California – Legal Advisory Committee

Board Member, Lean Construction Institute



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Member, American Bar Association – Public Contracts Section and Forum Committee on the Construction Industry

Member, Associated Builders and Contractors of California – Golden Gate Chapter

Member, State Bar of California – Construction Law Subsection of Real Property Section

Honors/Awards

Recognized on *The Best Lawyers in America*® 2009 & 2010 list, Construction Law

Recipient, “Top 25 Newsmakers of 2007,” *Engineering News - Record*

Clerkships

Law Clerk. Judge Milton L. Schwartz, U.S. District Court, 1982-1984