



## **David J. Butzer**

Of Counsel

McManus & Felsen LLP

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### **Practice Areas**

- [Government Contracts](#)
- [Commercial Litigation](#)
- [Construction](#)

### **Education**

- **George Mason University School of Law**, Juris Doctor, Magna Cum Laude, 2000
  - Associate Editor, George Mason Law Review
- **Washington & Jefferson College**, Bachelor of Arts Degree in Political Science, 1997

### **Bar Admissions**

- District of Columbia
- Maryland
- Virginia
- United States Court of Appeals for the Eighth Circuit
- United States Court of Federal Claims
- United States District Court for the District of Columbia

### **Overview**

David is Of Counsel to McManus & Felsen, where he practices in the areas of construction and government contracts.

As part of David's government contracts practice, he has handled, among other things, bid protests, claims and appeals, and prosecution and defense of Miller Act bond claims. David's construction law experience includes litigating claims (including mechanic's lien and bond claims) in Virginia, Maryland and the District of Columbia on matters ranging from simple collection disputes to complex claims.

David has represented a wide range of clients, including project owners, general contractors, subcontractors, sureties, architects, commercial landlords and tenants, and neighbors to construction projects.

## Experience

David has spent his entire legal career on construction law and government contracts and co-authors national publications on construction law and federal government contracts.

### 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 Court of Federal Claims, including a protest of a multi-year \$50 Billion Government-wide 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*: He has assisted neighbors to construction projects negotiate tie back/underpinning agreements to protect them from damage to their properties during construction.

## Prior Experience

David was a Law Clerk at the United States Court of Federal Claims from 2000 to 2001.

## Publications

David's selected publications include:

- *Chapter 22, Maryland*, in *State-By-State Guide to Design and Construction Contracts and Claims*, 2<sup>nd</sup> ed. and annual updates (Co-Author)
- *When and How to File a Federal Contract Claim*, in *Construction Law Handbook*, (annual updates to 2<sup>nd</sup>ed., Vol 2.) (Co-Author)
- *Maryland's Highest Court Holds that AIA Document A-312 Requires Sureties to Promptly Investigate and Challenge Bond Claims*, in *Washington Building Congress Bulletin* (Dec. 2005) (Co-Author)

- *Suing the Government: Special Considerations*, in *Construction Disputes: Representing the Contractor* (3rd ed. 2001) (Co-Author)