



WILLIAM D. AUXER

Principal

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William ("Bill") Auxer is a principal of the firm and member of the Construction Law and Environmental Law Departments. Bill joined the firm in May of 2000. Bill's practice includes both transactional and litigation with a focus on construction law, government procurement and contracting, environmental law and administrative law.

Before becoming an attorney, Bill worked as a civil engineer in the environmental construction field. He served as a design consultant on several environmental construction projects. He also served as a project manager where he was responsible for estimating, bidding, planning, scheduling, and managing large budgeted environmental construction projects.

Bill formerly served on the Professional Development Faculty at Penn State-Abington where he taught courses on construction contracts. He also served on the faculty for Lorman Educational Services, providing seminars to the construction industry. Bill is a frequent speaker on environmental and construction-related issues.

Practice Areas

- **Construction Law Practice** - With his construction law practice, Bill represents developers, contractors, subcontractors, and design professionals. A significant part of his construction law practice is negotiating and drafting professional services contracts, construction contracts, and other forms of agreements common in the construction industry. He advises clients on project planning, risk avoidance, and contract-related disputes that arise during the project. He has litigated many construction contract and defect cases in state and federal courts and has represented clients in mediation and arbitration.
- **Government Procurement and Contract Practice**- With his government procurement and contracting practice, Bill advises contractors on procurement matters, bid protests, and claims against governmental

agencies. He has been before the Pennsylvania Board of Claims and federal agency boards of contract appeals.

- **Environmental Law Practice** - With his environmental law practice, Bill negotiates and drafts various forms of environmental-related agreements (including buyer-seller agreements, site access and remediation agreements, environmental indemnity agreements, prospective purchaser agreements, and environmental covenants), advises clients on the acquisition of contaminated property, environmental site assessments, brownfield remediation, permitting, regulatory compliance, and enforcement matters. He has represented many clients before the Pennsylvania Environmental Hearing Board.
- **Administrative Law Practice** - With his administrative law practice, Bill advises and defends clients against OSHA violations and citations, OFCCP audits and violations, and environmental civil penalty assessments. He has negotiated consent orders and decrees with the PADEP and EPA and conciliation agreements with the OFCCP.

Practice Areas

- Construction Law
- Construction Claims and Litigation
- Mechanics' and Construction Lien Claims
- Project Consulting and Contract Preparation
- Government and Public Contracts
- Real Estate Transactional
- Contract Review
- Act 2
- Building Codes
- Environmental Mitigation and Permitting
- Litigation and Appellate Practice
- Outside Agency Permitting
- Surety Bond Claims and Litigation
- Business and Corporate Law
- Environmental Law
- Administrative Proceedings and Litigation
- Permitting
- Regulatory Compliance

Representative Experience

- Prepared and negotiated a \$37M GMP contract on behalf of a developer/owner for the construction of a multifamily residential building located in Montgomery County, Pennsylvania.
- Prepared and negotiated a \$26.7M design-build contract on behalf of a developer/owner for the construction of an industrial warehouse facility in Pittston, Pennsylvania.
- Prepared and negotiated a \$123M GMP contract on behalf of developer/owner for the construction of a mixed-use development located in Philadelphia, Pennsylvania.
- Prepared and negotiated a \$22M GMP contract on behalf of developer/owner for the construction of a 4-story office and industrial warehouse facility located in Chester County, Pennsylvania.
- Prepared and negotiated a \$16M GMP contract on behalf of developer/owner for the redevelopment of a shopping center located in Montgomery County, Pennsylvania.
- Prepared and negotiated a \$14M GMP contract on behalf of developer/owner for the construction of a 7-story residential condominium located in Philadelphia, Pennsylvania.
- Prepared and negotiated a \$5.9M design-build contract on behalf of a developer/owner for the construction of a 2-story medical office building located in Delaware County, Pennsylvania.
- Prepared and negotiated a \$6.2M design-build contract on behalf of a design-builder for the construction of a medical office building located in Monroe County, Pennsylvania.
- Advised a developer/owner on NPDES stormwater permitting for a Montgomery County, Pennsylvania mixed-use development that involved innovative stormwater facilities to overcome the problems with the karst topography.
- Successfully defended a developer in a bench trial filed in the Philadelphia County Court of Common Pleas for claims involving breach of contract, fraud, misrepresentation and violations of the Unfair Trade Practices Act and Consumer Protection Law.
- Successfully defended a home improvement contractor in a jury trial case filed in the Chester County Court of Common Pleas for claims involving breach of contract, fraud, misrepresentation and violations of the Home Improvement Consumer Protection Act and the Unfair Trade Practices Act and Consumer Protection Law.
- Successfully secured a \$1.95M arbitration award in favor of a structural steel contractor.