

ATTORNEYS

William K. Andrews

Shareholder

PRACTICE EMPHASIS:

Complex construction and engineering claims; litigation; arbitration and mediation

EDUCATION:

J.D., *cum laude*, University of Houston Law Center, 1978
Order of the Barons
B.A., University of Texas at Austin, 1974

ADMITTED:

State Bar of Texas

COURT ADMISSIONS:

U.S. District Court, Southern, Eastern and
Western Districts of Texas
U.S. Court of Appeals, Fifth Circuit



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Profile:

For over 38 years, Bill Andrews has practiced construction law, focusing on construction-related claims, lawsuits, mediations and arbitrations. He has represented owners, contractors, subcontractors, vendors, suppliers and engineering firms on a wide variety of construction-related projects. His experience in claims, trials, arbitrations and mediations includes projects such as highways and bridges, public works projects, commercial and retail construction, industrial and warehouse facilities, hospitals and health care facilities, power plants (including simple cycle and cogeneration plants), pipelines, petrochemical plants, refineries, chemical plants, gas processing plants, cryogenic plants, schools, multi-family housing and environmental remediation projects. He has represented several EPC firms in disputes and claims involving large plants. He also has significant experience representing owners, contractors and engineering firms in claims and disputes involving upstream, midstream and downstream facilities.

Bill has tried to verdict and arbitrated to award more than 75 construction cases. Since 1988, he has been a member of the American Arbitration Association's National Panel of Construction Arbitrators and has served as a construction mediator since 1998. He is a member of the American Arbitration Association's Large Complex Construction Case Panel of Arbitrators and was recently approved by the AAA's National Construction Dispute Resolution Committee as a member of its Construction Arbitration Master Panel.

For the twelfth consecutive year, Bill received a top ranking among construction lawyers in the state by the prestigious legal directory, *Chambers USA, America's Leading Lawyers for Business*.

Professional Recognition:

Fellow, American College of Construction Lawyers
Fellow, Texas Bar Foundation
Fellow, American Bar Foundation
Fellow, Litigation Counsel of America
"America's Top 30 Construction Lawyers," The Best of the Best, USA 2012
The Best Lawyers in America, 2012 Litigation-Construction Lawyer of the Year for Houston
The Best Lawyers in America, Since 2006

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Professional Recognition (Cont'd)

Chambers USA, America's Leading Lawyers for Business, Since 2004
The International Who's Who of Business Lawyers (Construction), Since 2005
"Texas Super Lawyers," *Texas Monthly* (Construction Litigation and Alternative Dispute Resolution), Since 2004
AV© Preeminent™ Peer Review Rating (5.0 out of 5), Martindale-Hubbell
Top 100 Houston Area Super Lawyers, Since 2007
Top 100 Texas Super Lawyers, 2008, 2014

Teaching Experience:

Adjunct Professor of Law, University of Houston College of Law, Basic Construction Law, Spring 2011

Affiliations:

American Arbitration Association, Arbitrator
State Bar of Texas, Construction Law Section Member (Federal Judiciary Appointments Committee, 1984-1986; Governing Council, 1990-1992; Treasurer, 2009-2010; Secretary, 2010-2011; Vice-Chair, 2011-2012 and Chair, 2012-2013
Houston Bar Association, Construction Law and Alternative Dispute Resolution Member (Member, Governing Council, Construction Law Section, 1989-1990)
American Bar Association, Forum on the Construction Industry
Associated Builders and Contractors
The Associated General Contractors of America

Representative Experience:

Bill has tried to verdict and arbitrated to award more than 75 construction cases. The following are representative cases:

- Represented owner in arbitration arising out of construction of multi-hundred million dollar industrial gas facility, involving claims of cost overruns, delay, disruption, acceleration, loss of efficiency and loss of productivity. Final evidentiary hearing spanned 19 days, conducted before panel of 3 AAA complex construction case arbitrators and was tried to award.
- Represented religious institution in lawsuit against contractor related to repairs to campuses damaged by Hurricane Ike.
- Led prosecution of EPC subcontractor delay and breach of warranty claims in arbitration against construction contractor arising out of gas processing project and defense against contractor counterclaims of loss of efficiency/productivity and disruption.
- Represented developer and owner of wind power generation project regarding equipment supply, operation and maintenance issues.
- Led defense of building contractor-project manager against governmental owner asserting breach of contract and negligence claims in multi-party, complex litigation arising out of convention center project.
- Led prosecution of loss of efficiency/productivity and disruption and delay claims of EPC contractor in arbitration against refinery owner, settling case favorably to contractor-client shortly after formal commencement of proceedings.
- Defended and obtained settlement for general contractor in litigation against owner, its lending consortium and builders risk carrier involving the alleged differential settlement of 31-story beach condominium and lost investment claim of \$125 million.
- Represented EPC Contractor in 5-week arbitration of disputes arising out of the design and construction of a degassing plant.
- Represented pipeline owner in the arbitration of claims arising out of the construction of a gas pipeline.
- Represented EPC contractor in the trial of claims and counterclaims pertaining to the design and construction of a cryogenic plant and fractionation plant.
- Represented contractor in arbitration of payment and delay claims related to a commercial building project.

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Representative Experience (Cont'd)

- Represented fabricator in the arbitration of disputes arising out of the fabrication of multiple modules for a floating production storage offloading vessel.
- Represented contractor in the arbitration of disputes arising out of the construction of modules for an offshore oil and gas platform.
- Represented contractor in the arbitration of payment, delay and workmanship claims arising out of a commercial building project.
- Represented contractor in the arbitration of termination costs arising out of a Strategic Petroleum Reserve project.
- Represented owner in the trial of contract claims arising out of a major public works contract.
- Represented contractor in the trial of contract and tort claims (including defense of counterclaim) against the owner of a refinery.
- Represented subcontractor in the trial of wrongful termination claims against a general contractor for the construction of a laboratory building.
- Represented contractor in the trial of claims against an engineer arising out of a petrochemical plant project.
- Represented contractor in the arbitration of contract claims against the owner of a petrochemical plant.
- Represented subcontractor in the arbitration of disruption claims against an EPC contractor of an HDPE plant.
- Represented contractor in the arbitration of delay, disruption and extra work claims against the EPC contractor of a power plant (cogeneration plant).
- Represented contractor in the arbitration of lost profit claims against an EPC contractor of a power plant (cogeneration plant).

Recent Publications

"The Miracle of Modern Technology: Digitally Transporting the Long-Distance Witness to the Hearing Room," Building Resolutions, American Arbitration Association Construction Division News, Issue No. 2, June, 2010
"Taming the Jury Charge Beast in the Trial of Complex Construction Case," Construction Law Journal, (Co-Author), Summer 2008

Recent Presentations/Seminars:

"Strategies and Tactics in Selecting Arbitrators," State Bar of Texas International Law Section Annual Institute, February 2017
"Damages in Construction Cases," Business Valuation, Forensic & Litigation Services Conference, Texas Society of Certified Public Accountants, October 2016
"Mediation of Construction Disputes," A.A. White Dispute Resolution Center, University of Houston Law Center, April 2016
"Pros and Cons of Construction Arbitration – What Every Construction Arbitrator and Advocate Should Know," College of Commercial Arbitrators/American Arbitration Association, March 2016
"Arbitrator Subpoenas: Are They Worth the Paper They're Printed On?" American Arbitration Association Webinar, March 2016 and December 2015
"Has Arbitration Fulfilled Its Promise? Both Sides of the Debate," The Construction ADR Summit, Forum on the Construction Industry, American Bar Association, October 2015
"From Local to International: Taking Your Practice Global," State Bar of Texas International Law Section, May 2015
"Overview of the Construction Industry and Glossary of Construction Terms," The Basic Course in Texas Construction Law, State Bar of Texas, Construction Law Section, November 2013, November 2014
"Advanced Mediation Training," Houston Bar Association, Arbitration Section Seminar at University of Houston Law Center, (Panelist), April 2012

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Presentations/Seminars (Cont'd)

"Strategic Growth of a Construction Law Practice," State Bar of Texas Construction Law Conference, San Antonio, TX, (Panelist), March 2012

"Creative Use of FRCP 30(b)(6) in Construction Litigation," American Bar Association, Forum on the Construction Industry, Midwinter Meeting, (Panelist), February 2012

"Breaking Logjams in Mediations," Houston Bar Association Construction Law Section, (Panelist), January 2012

"Texas Anti-Indemnity Bill (HB 2093)," Client Education Series, (Co-Presenter), January 2012

"Texas Anti-Indemnity Bill (HB 2093)," Client Education Series, (Co-Presenter with Lee Shidlofsky), October 2011

"Advanced Mediation Training; Mediating Construction Disputes," A.A. White Dispute Resolution Center, University of Houston Law Center, (Panelist) April 2011

"The Ethics Behind 'Better, Faster, Cheaper' in ADR," American Arbitration Association, March 2011

"Anatomy of a Complex Construction Arbitration," Construction Law Section of the State Bar of Texas, 24th Annual Construction Law Conference, (Panelist) March 2011

"Legal and Practical Considerations for Arbitration Participants," Construction Law Section, Houston Bar Association, January 2011

"Chairing an Arbitration Panel," American Arbitration Association, December 2010