



Mark G. Budwig, Of Counsel

Practice Areas	Construction
Admissions	California
Address	12544 High Bluff Drive, Suite 400 San Diego, CA 92130
Direct Phone	858-720-6330
Direct Fax	619-788-5503
Email	mark.budwig@procopio.com

Professional Summary

Mark G. Budwig has focused his practice on construction law and litigation for the past 30 years. He has represented a multitude of contractors, subcontractors, design professionals and owners in a wide variety of actions ranging from simple lien foreclosures to multi-million dollar construction and engineering extra work claims arising from hotels, pipelines, tunnels highways, canals, convention centers, medical facilities, schools, power plant, dams and other complex public work projects. In the course of his career, he has handled virtually every type of design, construction and defect claim, including disputes arising from earth movement, surface and subsurface water intrusion, delays and impacts.

Originally educated and licensed as a professional civil engineer, Mark began his career as a field engineer on a multi-million dollar project for a national general contractor. He later worked a number of years with Pacific Gas & Electric, one of California's largest utilities, as a design engineer. Bridging the worlds of engineering and law, Mark understands and speaks the language of the industry and works closely and effectively with architects, engineers, geologists, material testers, schedulers, construction managers and construction cost accountants.

Representative Matters

- Successfully represented owner in defense of \$40 million claim against contractor, designer and equipment supplier on hydroelectric project.
- Obtained favorable awards in excess of \$1 million, which included recovery of attorneys' fees, for major highway contractor in arbitrations against Caltrans.
- Defeated \$50 million claim against and obtained a \$10 million award for contractor following a



seven week jury trial in Federal Court arising from a tunnel project.

- Successfully litigated and settled a \$20 million claim against public owner on a design/build water treatment plant.
- Prosecuted and defended claims brought under the California False Claim Act.
- Counseled owners and contractors in connection with the preparation and negotiation of custom and standard for (e.g., AIA) contract documents.
- Successfully defended national general contractor from multi-million dollar water intrusion claim arising from school project.
- Litigated and obtained favorable settlement for owner in claim against designer of a sound studio project.

Recognitions

- 2019 West Coast Top Rated Lawyers, ALM
- Martindale Hubble AV Rating
- "Top Lawyers," San Diego Magazine, 2013-present
- Recognized multiple years by the San Diego Daily Transcript as Super Lawyer in Construction.

Community

- Construction Management Association of America (CMAA), San Diego Chapter, Former Board of Directors
- San Diego County Bar Association-Construction Law Section
- Associated General Contractors of America

Education

- JD, University of California at Hastings, 1986
- MS Civil Engineering/Construction Engineering & Management, Stanford University, 1980
- BS Civil Engineer (Honors), University of Colorado at Boulder, 1978



News Coverage

- “Procopio Welcomes Mark Budwig as Partner on the Construction Team,” Procopio, March 6, 2017.

Seminars

Mr. Budwig has been a regular speaker at construction law seminars for the past 25 years, covering an array of topics including:

- Mechanics liens and stop payment notices
- Annual construction law updates
- Design-build contracts
- Alternative construction contracting delivery systems
- Key provisions and pitfalls in public contracting
- Construction dispute resolution
- Differing site conditions
- Public works bidding
- Key risk-shifting provisions in construction contracts