



**George E. Spofford, IV**  
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### **July 2012 to Present**

Shareholder- GrayRobinson, P.A.

GrayRobinson is a full-service corporate law firm with over 250 attorneys throughout 10 offices across Florida. GrayRobinson provides legal services for Fortune 500 companies, emerging businesses, lending institutions, local and state governments, developers, entrepreneurs and individuals across Florida, the nation and the world. (<http://www.gray-robinson.com>)

My law practice is focused solely on representing the construction industry. I primarily represent engineering firms, contractors, subcontractors, and owners (public and private) in disputes involving infrastructure improvements (roads, pipelines, bridges, landfills, excavations, landfills, mines, etc.). I routinely represent and counsel clients regarding matters such as: contract negotiation and drafting; claims avoidance; claims preparation; bid protests; OSHA citations; and litigation of disputes.

### **January 1996 to July 2012**

Shareholder - Glenn Rasmussen, P.A.

Glenn Rasmussen, P.A. is a commercial transaction and litigation law firm based in Tampa, Florida.

Head of Construction Law Practice Group.

### **February 1992 to December 1995**

Shareholder and Executive Vice President - S & E Contractors, Inc.

S & E Contractors, Inc. was a heavy civil/highway contractor based in Clearwater, Florida, with annual revenues of approximately \$40,000,000. S & E Contractors, Inc. was prequalified with the FDOT and many counties and municipalities in Florida.

As the Executive Vice President, I was primarily responsible for: Management of Project Managers; Owner and subcontractor relations; Claims documentation, presentation, and negotiation; Resolution of disputes with owners and subcontractors; Partnering; Contract negotiation; Bid protests; Safety/OSHA compliance and defense; Insurance; Human resources/personnel; and, Representation of company at arbitration hearings, mediations, and trials.

### **1987 – 1992**

Litigation attorney - Cummings, Lawrence & Vezina, P.A.

Cummings, Lawrence & Vezina, P.A. was a law firm that represented members of the construction industry. As a litigation attorney, I was responsible for lawsuits valued from \$300,000 to more than \$20,000,000. Clients included public and private owners and contractors and sureties throughout the Eastern United States and Central America on projects of up to \$90,000,000.

### **1985 – 1987**

Corporate Counsel - Misener Marine Construction, Inc.

Misener Marine Construction, Inc. is a Tampa-based heavy marine contractor with revenues of approximately \$60,000,000 per year during 1985-1987. As Corporate Counsel, I was responsible for all legal issues involving the company.

### **PROFESSIONAL AFFILIATIONS/ACTIVITIES**

- Georgia Bar Association - 1985
- Florida Bar Association - 1986
- The Alabama State Bar – 1989
- United States Supreme Court – 2007
- United States Court of Appeals for the Federal Circuit - 1992
- United States District Court, Middle District of Florida – 1989
- United States District Court, Northern District of Florida - 2004
- Florida Supreme Court Board Certified in Construction Law
- Florida Supreme Court Certified Circuit Court Mediator
- Rated “AV” by Martindale-Hubbell, highest peer rating available
- Best Lawyers In America, Construction Law
- Chambers USA Guide to America’s Leading Lawyers for Business
- Florida Trend “Legal Elite” for Construction Law
- Law & Politics “Super Lawyer” for Construction Law, and Blue Ribbon Panelist
- Tampa Bay Magazine's Tampa Bay's Top Lawyers
- FDOT Certified Dispute Review Board Member
- Underground Utility Contractors of Florida- General Counsel –1999 to present, member since 1992
- Florida Transportation Builders Association – member since 1986

- Suncoast Utility Contractors Association - member
- Hillsborough County Bar Association - member
- Lecturer regarding scheduling, construction liens, claims, competitive bidding, and claims documentation
- National Utility Contractors Association (NUCA) member by invitation in National Construction Attorneys Forum
- Hillsborough County Bar Association Construction Lawyer Section
- Construction Owners Association of America

## **EDUCATION**

- **Auburn University, B.S.** (*with honors*, 1982)
- **Emory University School of Law, J.D.** (1985)

## **SELECTED REPRESENTATIONS**

- Preparation, litigation, and negotiation of multi-million dollar construction claims with the Florida Department of Transportation and various counties on projects such as SR 200; US 27; US 301; SR 20; US 319; US 331; SR 200; US 98; The Veterans' Expressway; S.R. 52; Hudson Avenue; three phases of I-75, Alligator Alley; SR AIA; Seven Mile Bridge; Apalachicola River Bridge; Commercial Boulevard Bascule Bridge Rehabilitation; Military Trail Road; S.R. 5 Drainage Improvements; S.R. 717; Florida Keys Aqueduct; I-664 Bridge; I-4.
- Member of FDOT Dispute Review Boards on: FDOT SR 64 East Project (Chairman), FDOT SR 64 West Project (Chairman), FDOT US 301 Project (Chairman). FDOT S.R.90 (US 41) Project, FDOT US 1 (S.R. No. 5) Project, FDOT SR 776 Project, FDOT SR 222 Project.
- Representation of contractor in dispute with U.S. Air Force regarding construction of golf course on MacDill AFB.
- Representation of minority owned contractor in dispute with U.S. Corps of Engineers regarding the construction of recreation center on MacDill AFB.
- Representation of clients in litigation and negotiation with the Occupational Safety and Health Administration (OSHA) for the reduction and elimination of fines and citations due to safety violations.
- Representation of Florida municipality in dispute with Florida Department of Transportation regarding underground utility work delays and extra work claims.
- Representation of lime rock mine owners and operators in disputes regarding mine operation.
- Representation of landfill contractor in litigation against the City of Jacksonville, Florida, involving issues such as wrongful termination, material breach, defective design, and over-zealous contract administration.

- Representation of construction sureties in defense of payment and performance bond claims.
- Representation of a highway contractor in litigation against the City of Edgewater, Florida, for damages due to delays and extra work incurred during the construction of approximately ten miles of asphalt roadway.
- Representation of leading manufacturer of single ply roofing materials in breach of contract and civil theft litigation.
- Representation of a statewide contractors association in dispute with a public owner concerning a \$63,000,000 public works project.
- Representation of custom home building company in breach of contract litigation against one of Florida's largest land development companies.
- Representation of clients in bid protests arising out of competitive public bid lettings.
- Representation of clients before the Armed Services Board of Contract Appeals regarding construction contract disputes.
- Representation of local municipalities in the analysis and defense of construction claims.

### **SELECTED CONSTRUCTION SEMINARS PRESENTED**

- "Mediation of Construction Disputes," November 18, 2010 and April 21, 2011, Presented to Hillsborough County Bar Association
- "Rules and Statutes Governing Florida Contractors," July 22, 2010, presented at UUCF Statewide Convention
- "Handling OSHA Inspections on Construction Projects," January 28, 2009, Presented to Construction Supervisors
- "What The Construction Professional Should Know About Construction Law," August 12, 2008, Presented at Florida COAA Annual Meeting
- "Handling OSHA Inspections on Construction Projects," February 15, 2007, Presented to Hillsborough County Bar Association
- "Laws and Rules Regulating The Construction Industry," February 18, 2008, Presented to Central Florida Utility & Transportation Contractors Association
- "Advanced Construction Law Issues," November 2, 2002, Presented in Dallas, Texas, Florida Bar Course No. 8153R, approved for 7.5 hours credit
- "Roofing Law," October 8, 2002, Presented to The West Coast Roofing and Sheetmetal Workers Association, Tampa, Florida, Florida Bar Course No. 8253R, approved for 3.0 hours credit
- "Construction Contracting/Claims," February 18, 2003, Presented to The Concrete Reinforcing Steel Institute, Florida Bar Course No. 8353R, approved for 3.0 hours credit
- "Construction Bonds," September 22, 2004, Presented to Construction Owners Association of America, DBPR Course No. 8221, approved for 3.5 hours for Contractors and 3.0 hours for Architects, approved Florida Bar CLE Course
- "Handling OSHA Inspections on Construction Projects," May 11, 2004, Presented in Jacksonville, approved Florida, Florida Bar CLE Course

- “Handling OSHA Inspections on Construction Projects,” May 12, 2004, Presented Orlando, approved Florida Bar CLE Course
- “Handling OSHA Inspections on Construction Projects,” May 13, 2004, Presented Naples, Florida, approved Florida Bar CLE Course
- “Construction Law for Architects & Engineers,” May 30, 1999, DBPR Course No. AR.05.919
- “Scheduling,” January 1993 - Florida Department Of Transportation/Florida Transportation Builders Association Joint Conference, Orlando, Florida.
- “Construction Contracting For Public Entities In Florida,” June 1999 Lorman Education Services
- “Construction Contracting For Public Entities In Florida,” November, 2000, Lorman Education Services
- “Roofing Law,” Presented to The West Coast Roofing and Sheet Metal Workers Association, October 2002
- “Mold Issues For Roofers,” Florida Roofing and Sheet Metal and Air Conditioning Contractors Association Statewide convention, 2003, approved Florida Bar CLE Course
- “Construction Contracting/ Claims” February 2003, Presented to The Concrete Reinforcing Steel Institute.
- “Competitive Bidding,” January 4, 2000, Sponsored by Ringhaver Equipment Company

#### **SELECTED ARTICLES IN CONSTRUCTION INDUSTRY PUBLICATIONS**

- “Dispute Avoidance: Setoff of Contract Proceeds On Unrelated Contracts,” Ditchmen, September 1996.
- “The Question of Latent Defects,” Dixie Contractor, October 7, 1996.
- “Despite What The Contract Says, Prior Written Authorization Is Not Always Required For Extra Work To Be Compensable,” Ditchmen, October 1996.
- “More On Latent Defects,” Dixie Contractor, October 21, 1996.
- “Overzealous Inspection,” Ditchmen, November 1996.
- “Effective Photograph Documentation Of Claims,” Ditchmen, December 1996.
- “Pay-When-Paid Clauses,” Ditchmen, January 1997.
- “Venue: Who Cares Where The Lawsuit Is Filed?” Ditchmen, February 1997.
- “Dishonored Subcontractor Bid Quotes,” Ditchmen, April, 1997.
- “Don’t Take The Notice Of Commencement For Granted,” Ditchmen, May, 1997.
- “Three Certainties in Life: Death, Taxes, and Revisions To The Lien Law,” Ditchmen, June, 1997.
- “Bid Protests: Timing Is Everything,” Ditchmen, July, 1997.
- “The Lien Law: What It Says -vs- What It Means,” Ditchmen, August, 1997.
- “A Method to Recover Claim Preparation Costs,” Ditchmen, September, 1997
- “Surety Bad Faith,” Ditchmen, October, 1997
- “Southern Roadbuilders Lives!” Ditchmen, November, 1997
- “Two Potential Defenses to OSHA Citations (Part 1 of 2),” Ditchmen, January, 1998
- “Two Potential Defenses to OSHA Citations (Part 2 of 2),” Ditchmen, February, 1998
- “Personal Guaranties,” Ditchmen, April, 1998
- “Unintended Personal Liability,” Ditchmen, May, 1998
- “Dispute Review Boards (Part 1 of 2),” Ditchmen, June 1999
- “Dispute Review Boards (Part 1 of 2),” Ditchmen, June 1999
- “Competitive Bidding Under Revised Florida Statute 255.20 (Part 1 of 2),” Ditchmen, October 1999

- “Competitive Bidding Under Revised Florida Statute 255.20 (Part 2 of 2),” Ditchmen, November 1999
- “Problems with Using the Total Cost Method of Calculating Costs,” Ditchmen, February 2001
- “Disclaimers For Differing Site Conditions In Utility Contracts,” Ditchmen, March 2002
- “Implied Warranty of Availability,” Ditchmen, May 2003
- “The Slavin Doctrine,” Ditchmen, June, 2003
- “Legislative Update,” Ditchmen, September, 2003
- “Prompt Payment,” FRSA, February, 2004
- “Waiver Of Contract Notice Provisions,” FRSA, March 2004
- “Lost Anticipated Profits,” FRSA, June 2004
- “Termination for Convenience: Necessary Evil or Unfair Advantage Part I of III”, Ditchmen, November 2004
- “Termination for Convenience: Necessary Evil or Unfair Advantage Part II of III”, Ditchmen, December 2004
- “Termination for Convenience: Necessary Evil or Unfair Advantage Part III of IV”, Ditchmen, February 2005
- “Termination for Convenience: Necessary Evil or Unfair Advantage Part IV of IV”, Ditchmen, March 2005
- “Construction Surety Bonds, Ditchmen, June 2005
- “Statute of Limitations for Performance Bond Claims” Lawyer Magazine, February 2005
- “State Agencies Must Play by the Rules”, Ditchmen, January 2006
- “Avoiding a Willful OSHA Violation”, Ditchmen, November 2007
- “Unavoidable Employee Misconduct Defense”, Ditchmen, December 2007
- “Litigation, Arbitration and Mediation (Part I of II)” Ditchmen, March 2008
- “Litigation, Arbitration and Mediation (Part II of II)” Ditchmen, April 2008
- “Liquidated Damages are not Always Enforceable” Ditchmen, July 2008
- “Contracts – Your Construction Contract Liquidated Damages Clause Might Not be Enforceable” Owners Perspective, Winter 2009
- “Battle of the Forms (Part I of II)” Ditchmen, November 2009
- “Battle of the Forms (Part II of II)” Ditchmen, December 2009
- Executive Order 13496 and What It Means For Federal Contractors and Subcontractors” Ditchmen, August 2010
- “Recent OSHA Changes” Ditchmen, September, 2010
- “Bid Protests Revisited” Ditchmen, January, 2011
- “Bid Protests: Grounds For And Defenses Against” Ditchmen, March 2011
- “When, If Ever, Is It Too Late To Bring A Demand For Arbitration?” part 1 and part 2, Ditchmen, July and August 2012