

## Adam J. Richie, P.E.\*, LEED AP

Shareholder [Austin](#)  
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### Education

J.D. from South Texas College of Law Houston  

- *Corporate Counsel Review* (Articles Editor; Managing Editor)

B.S. from University of Houston-Downtown *magna cum laude*

### Bar Admissions

Texas  
United States District Court for the Western District of Texas

### Related Practices

Litigation  
Construction Litigation  
Insurance Litigation

### Related Industries

Construction  
Insurance



## Overview

Serving as Co-Chair of Munsch Hardt's Construction practice group, Adam focuses his practice on a variety of construction transactions and insurance matters, as well as construction-related disputes.

Adam is Board Certified in Construction Law by the Texas Board of Legal Specialization. He has significant experience in guiding his clients through the various phases of development and construction of commercial properties, including drafting and negotiating complex design, construction and development contracts for all types of commercial projects, with a focus on evaluating insurance coverage issues. Adam has also successfully represented public and private owners, general contractors, subcontractors and design professionals in numerous lawsuits and disputes.

Prior to entering law school, Adam worked as a Mechanical Engineer and Project Manager at a consulting engineering firm in Houston, Texas, and then after obtaining his law degree, as General Counsel. Adam is a LEED Accredited Professional and a retired Professional Engineer\*. His clients benefit greatly from his extensive background in the engineering and construction industries.

Adam is also a frequent speaker to construction industry groups on construction law issues.

\*Retired/Inactive Professional Engineer

## Achievements

*Austin Monthly* - Austin's Top Attorneys (2023)

*Chambers USA* – Up and Coming, Construction – Texas (2022-2023)

Construction Lawyers Society of America – Fellow

*SA Scene Magazine* – Best Lawyer for Construction Law (2016)

*Woodward/White, Inc.* – Best Lawyers in America, Construction Law (2021-2024); Best Lawyers in America, Litigation – Construction (2021-2024)

## Memberships

American Bar Association (Construction Industry Forum)

Associated General Contractors of America, San Antonio Chapter (Board of Directors, 2016)

Construction Leadership Forum

Certified BIM Instructor for Unit 3: Building Information Modeling Contract & Negotiation & Risk Allocation

LEED Accredited Professional (AP)

San Antonio Bar Association, Construction Law Section

State Bar of Texas, Construction Law and Insurance Law Sections

Texas Bar Foundation (Fellow)

Texas Board of Professional Engineers

USGBC Central Texas-Member (Former Vice Chair of Education, Balcones Chapter)

## Experience

### **\$1 B Hotel + Convention Center Expansion**

Representing a private real estate development company in the \$1 B expansion of the Broward County Convention Center and a new Headquarters Hotel (a Four Diamond AAA brand standard hotel, operated by Omni Hotels) consisting of approximately 800 hotel rooms, 580 parking spaces and related amenities (including ballrooms, conference and meeting rooms, pool, spa and fitness center, restaurants and retail stores located on the premises) to be constructed in Broward County, Florida and leased to a company pursuant to a ground lease. Adam is currently acting as lead construction and insurance coverage counsel for the developer in connection with the development and negotiation of all upstream and downstream design and construction contracts.

## Water Purification Plant

Serving as Special Counsel relating to design, construction and procurement advice for two financial participant water authorities providing a portion of funding for the construction of the Northeast Water Purification Plant Expansion Project. This design-build, multi-phase project will be completed in 2025 and is being designed to produce 320 million gallons of water a day. The project is currently estimated to cost approximately \$1.7 B.

## Water Pipe Line Construction

Serving as Special Counsel relating to design, construction and general procurement of the Surface Water Supply Line Project for two public owners. This project involves the installation of approximately 40 miles of large diameter water pipe (80 inches to 96 inches), including roughly ten miles of tunnelling, across the northern corridor of Houston, Texas. The project is currently slated to deliver more than 200 million gallons of water a day to West Houston for the Northeast Water Purification Plant Expansion Project. The project is estimated to cost approximately \$850 MM.

## Design + Construction Procurement

Representing a major not-for-profit health care system in drafting a full manuscript master design and construction procurement documents for use on its extensive negotiated work program. The current program is estimated in excess of \$500 MM.

## EPC Project Management Contract

Representing an independent Japanese consulting firm in the drafting and negotiating of an Engineering Procurement Construction (EPC) project management contract for the design and construction of a Municipal Solid Waste to Ethanol Conversion Plant with an estimated construction cost of approximately \$700 MM. The facility will convert municipal waste to fuel using new technology that avoids incineration, resulting in near zero emission output and is funded using private equity. The estimated development, permitting and construction costs are approximately \$1 B, and the project is currently slated for completion in 2022.

## Casino Expansion Project

Represented a private real estate development company as lead construction counsel in the expansion of the Choctaw Casino in Durant, OK, which included 3,400 additional slots, 40 additional gaming tables and the construction of a new 1,000 key hotel, 2,100 space parking garage and 30,000 square foot ballroom. The project was valued at approximately \$500 MM.

## Construction Contract Negotiation

Represented a real estate investment and development firm in the development of a 316-unit, mid-rise residential building located on the Atlanta Dairies mixed development site in Atlanta, Georgia. Adam acted as lead construction counsel during the development and negotiation of the construction contract.

## Design-Build Agreement Negotiation

Represented a national real estate investment firm in the development of a 254-bed, 126-unit, mixed-use student housing project on a 0.79-acre site located in Philadelphia, Pennsylvania. Adam acted as lead construction and insurance coverage counsel during the development and negotiation of the design-build agreement.

## Design-Build Agreement Negotiation

Represented a real estate investment company in the construction of a mixed-use development, including 257 multifamily units, approximately 7,000 square feet of first-floor retail and 284 parking spaces, located at 707-721 N. 3rd Street, Phoenix, Arizona on 0.48 acres of land. Adam acted as lead construction and insurance coverage counsel during the development and negotiation of the design-build agreement.

## Design-Build Agreement Negotiation

Represented a national real estate investment firm in the construction of a 658-bed, 309-unit student housing project on a 4.28-acre site in Coralville, Iowa. Adam acted as lead construction and insurance coverage counsel during the development and negotiation of the design-build agreement.

## Controlled Insurance Program

Represented a developer in the development of: (i) a 6-story, 150 key, approximately 167,000 square foot boutique hotel; (ii) a public park; (iii) an approximately 140,000 square foot parking garage; (iv) and approximately 15 condominiums in Fort Worth, Texas. Adam acted as lead construction and insurance coverage counsel for the owner on this project. Adam advised on all aspects of the controlled insurance program to be implemented by the construction manager.

## International Arbitration

Represented one of the largest mechanical contractors in Houston in a six-party international arbitration involving a failed refrigeration system installed in an industrial food processing facility in Missouri City, Texas. The owner of the facility was claiming about \$10 MM in damages. Despite the client not having an arbitration clause in the purchase order with the Canadian company that manufactured the defective refrigeration system, we were able to successfully compel them to participate in the arbitration under the direct benefits estoppel theory. As a result of this strategic move and some creative coverage arguments, we reached a favorable settlement for the client, which was primarily funded by the Canadian manufacturer's settlement contribution and the full policy limits tendered by the client's CGL carrier.

## Construction Litigation

Represented a refrigeration contractor on an international, multi-party design/construction defects case involving an industrial refrigeration system in a large food processing facility.

## Construction Litigation

Advised a large governmental entity on all aspects of procurement and contracting in connection with the site evaluation and project management of a \$900 MM expansion program in Austin, Texas, including analysis of insurance policies of prospective design and construction firms. The project includes 1.5 million square feet of modern, high-performance office buildings connected by underground tunnels and parking facilities.

## Construction Litigation

Represented a public owner in connection with the procurement of a Construction Manager-at-Risk for a \$200 MM river improvements project in San Antonio, Texas, including the development and negotiation of the construction contract for the project.

## Construction Litigation

Represented a heavy civil construction contractor in a multi-million dollar claim against the engineer and public owner for delays associated with unknown buried gas pipelines on a flood improvement project.

## Refinery Expansion Project

Advised a publicly traded industrial corporation on various legal issues related to an EPC contract for a \$10 B refinery expansion project.

## Construction Contracts

Developed and negotiated architectural, engineering and construction contracts for a public owner's \$900 MM hospital expansion program delivered under the construction manager-at-risk delivery method.

## Construction + Insurance Policies

Performed extensive coverage analysis of an ENR Top 200 Contractor's insurance policies for a governmental entity on a \$400 MM desalination project.

## Construction Contracts

Developed and negotiated project management and design/construction contracts for a public owner's service center projects to be delivered under Design-Build delivery method.

## Construction Litigation

Represented an ENR Top 10 engineering/construction firm in \$30 MM design defects claim on a port expansion project.

## Newsroom

**Press Release:** 'Best Lawyers in America®' Names 54 Munsch Hardt Attorneys to its 2024 List and Two as 'Lawyers of the Year'

**Press Release:** Austin Monthly Recognizes Two Munsch Hardt Attorneys in Top Attorneys List

**Press Release:** Chambers USA 2023 Directory Highlights Munsch Hardt Practices + Attorneys

**Speech:** Project Documents

**Press Release:** Munsch Hardt Attorneys Honored as 2023 'Best Lawyers in America®,' 'Ones to Watch', and 'Lawyer of the Year'

**Press Release:** Six Munsch Hardt Practice Groups and 12 Lawyers Ranked by Chambers USA 2022

**Speech:** Insurance: Practical Advice for Construction Lawyers

**In The News:** Newsmakers: Week of Nov. 16, 2021

**In The News:** Munsch Hardt Further Expands Construction Practice with New Associate

**Press Release:** Munsch Hardt Further Expands Construction Practice with Five Associates

**Press Release:** Munsch Hardt Attorneys Honored as 2022 'Best Lawyers in America', 'Ones to Watch' and 'Lawyer of the Year'

**In The News:** Munsch Hardt Appoints New Co-Chairs for the Firm's Growing Construction Practice

**Press Release:** Munsch Hardt Appoints New Co-Chairs for the Firm's Growing Construction Practice

**Press Release:** Munsch Hardt Attorneys Honored as '2021 Best Lawyers in America' and 'Ones to Watch'

**Speech:** Hotel Owners + The Novel Coronavirus Webinars

**Speech:** Richie Speaks at Engineering Law & Ethics Seminar

**Speech:** Insurance Basics for the Construction Lawyer

**Speech:** 10 Key Insurance Issues for Corporate Counsel

**Speech:** Richie Speaks at Construction Law Seminar

**Speech:** Richie Speaks at Legal Issues for Texas Civil Engineers Seminar

**Press Release:** Munsch Hardt Announces 2018 Promotions to Equity Shareholder and Shareholder

**Speech:** Basics of Contracts

**Article:** Laugh Out Loud or Limitation of Liability: Why LOL Clauses Are No Laughing Matter

**Speech:** 2016 Employment Law and Construction Law Updates

**Press Release:** Munsch Hardt Hires Austin-Based Construction Attorney

**Speech:** BIM: Legal Considerations, Contracts and Risk Allocation

**Speech:** BIM Contract Negotiation and Risk Management

**Speech:** Basics of Mechanics Liens and Payment Bond Claims

**Speech:** Navigating the Minefield of Risk in Construction

**Speech:** BIM: The Evolution Design, Construction and the Legal Implication

**Speech:** Professional and General Liability Insurance for Engineers

**Speech:** The Changing Landscape of Indemnity Law

**Speech:** Key Risks in Engineering

**Speech:** Expansion of Negligent Misrepresentation Claims Against Texas Engineers

**Speech:** LEED and Legal Issues