HansonBridgett



Howard W. Ashcraft, Jr.

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Firm Leadership
IPD/BIM Practice Co-Leader

Areas of Focus

- Construction
- IPD/BIM
- Infrastructure
- Green Building
- Litigation and Dispute Resolution

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Howard has represented owners, designers and contractors in major construction litigation. He is particularly skilled at developing targeted litigation strategies that break down complex concepts into themes that resonate with arbitrators, judges and juries.

He is also actively involved in developing new approaches to construction project delivery that will avoid many of the issues seen in problem projects. Along with other members of the AIACC's interdisciplinary taskforce on Integrated Project Delivery, he developed the theoretical and practical underpinnings for Integrated Project Delivery. These were first stated in AIACC's Integrated Project Delivery: A Working Definition (updated 2014) and the joint AIA/AIACC Integrated Project Delivery: A Guide, both of which he co-authored. He also was a principal co-author of Integrating Project Delivery (Wiley 2017) and the recently released IPD: An Action Guide for Leaders (Pankow 2018) and numerous other papers, articles and book chapters.

He has a practical understanding of IPD as well. Along with the Hanson Bridgett IPD team, he has structured more than 140 pure IPD projects—most of which also used Lean methodologies. According to Chambers USA, Howard is Band 1 rated and "has a solid practice representing design professionals and public owners. Like the firm, he is especially praised for his knowledge of IPD-related work. Clients say: *He is a very clear-headed attorney who is the country's leading authority on alternative project delivery models in construction*."

In parallel, Howard worked with the congressionally-chartered National Institute of Building Sciences to develop the National Building Information Modeling Standard. He currently heads the institute's legal and risk subgroup. Building Information Modeling is the use of object-oriented, intelligent databases that not only can use 3D design tools to characterize existing architectural and engineering design, but can be used to explore and manage construction processes, energy optimization, sustainable construction, costs and facility management.

Howard has served as an Adjunct Professor or Lecturer at Stanford University in Civil and Environmental Engineering and as the Commercial Leadership module leader in the MSc in Major Programme Management at the Saïd Business School, Oxford University.

Representative Work

Procter & Gamble, Cincinnati OH. Represented P&G in transforming their project delivery using Lean IPD principles, including developing the base IPD agreements and providing training and project counseling on projects in North America and Europe.

Brown University, Providence RI. Represented Brown University in a series of IPD projects, including the New Engineering Building and the upcoming Performing Arts Center.

Amgen, Thousand Oaks CA. Represent Amgen on their Lean IPD projects including developing strategy, contract documents and training. Projects include laboratories, offices and manufacturing in the United States and Puerto Rico.

Canadian Nuclear Laboratories, Ltd., Chalk River, Ontario. Represent the operating company in a government owned/contractor operated nuclear research facility in executing two capital projects using Lean IPD principles and contracts. Services include strategy, training, negotiation and contract development.

Red Deer College, Red Deer, Alberta. Represented a public college in implementing its first IPD project.

Confidential Client. Represent multinational biotech/pharmaceutical company in developing their collaborative project delivery strategy, including representing the client in a series of IPD projects in the continental US and Caribbean.

Confidential Client. Represent a multinational entertainment company in the implementation of IPD projects across a broad spectrum of project types and sizes, several of which exceed $500MM in design and construction value.

Confidential Client. Represented a semi-conductor manufacturer in its implementation of IPD projects and principles across several projects, several of approach or exceed $1B, both in the United States and abroad.

Confidential Client. Represent international bio-pharmaceutical firm in major infrastructure improvements using Lean IPD principles and contracts.

Healthcare Systems. Represent a wide array of health care systems and individual hospitals in the delivery of major infrastructure projects using Lean IPD principles and contracts.

National Institute of Building Sciences. Under a contract with NIBS, counseled the Veteran's Administration regarding its updated approach to Building Information Modeling.

Sykehuset i Vestfold. Advise public hospital district on implementation of IPD for a regional hospital in Tønsberg, Norway.

Compania de Nitrogeno de Cantarell. Represented an international consortium in a delay, impact and defect claim against the Engineer Procure Construct, contractor. Claim value was in excess of $120 MM.

Commercial Metals Company. Represented a subsidiary in a delay, impact and extras claim arising from a design/build contract for a Las Vegas casino. The project included significant insurance coverage, as well as construction issues.

Publications

"Transforming Project Delivery: Integrated Project Delivery," Oxford Review of Economic Policy, Volume 38 (2022)

Chapter Author, *Collaborative Construction Procurement and Improved Value* (Wiley 2019)

Garner's Guidelines for Drafting and Editing Contracts, Advisory Board Member, West Academic (2019)

"IPD- Built Revolution Podcast (Ep. 19)," co-presenter, *Built Revolution Podcast* (December 2018)

Chapter Author, Construction Law Handbook, 3rd Ed. (WoltersKluwer 2018)

Chapter Author, Collaborative Construction Procurment (Wiley 2018)

"*Integrated Project Delivery: An Action Guide for Leaders*", co-author, (Pankow 2018) The first manual focused on how to commence and execute and IPD project.

"Integrated Project Delivery Solves Pervasive Design Issues," *Design Intelligence* (January 2018)

"*Integrating Project Delivery*", a university level text co-authored with Prof. Martin Fischer, Dean Reed and Dr. Atul Khanzode (March 2017)

"IPD Advice from Owners," *IPD/BIM Alert* (February 2017)

"Negotiation is the First Collaborative Act," *IPD/BIM Alert* (December 2016)

"Missed Opportunities: Mistakes that Limit IPD Success," *IPD/BIM Alert* (September 2016)

"Targets of Opportunity: The Art of IPD Target Setting," *IPD/BIM Alert* (July 2016)

"All Aboard…" *IPD/BIM Alert* (May 2016)

"Location, Location, Co-location," *IPD/BIM Alert* (April 2016)

"Values First," *IPD/BIM Alert* (March 2016)

"Improving Green Building Construction in North America: Guide to Integrated Design and Delivery," collaborator, Commission for Environmental Cooperation (2015)

"Integrated Project Delivery: A Prescription for an Ailing Industry" *Construction Law International,* Volume 9 Issue 4 (December 2014)

"The Transformation of Project Delivery," *The Construction Lawyer: Journal of the ABA Forum Construction Law*, Volume 34 (November 2014)

Integrated Project Delivery: An Updated Working Definition, principal author, The American Institute of Architects California Council (2014)

"Integrated Project Delivery - A Lawyer's Perspective,"*Journal of Canadian College of Construction Lawyers* (May 2014)

"A Simple Framework for Integrated Project Delivery," co-author,*International Group for Lean Construction Oslo* (May 2014)

"Integrated Project Delivery: Optimizing Project Performance," *Owners Perspective - The Magazine of The Construction Owners Association of America* (Spring/Summer 2014)

"The Changed Landscape of Construction Disputes," contributing author,*Construction Dispute Resolution* (2014 edition)

"Integrated Project Delivery: Findings from the SLCR Forum," *The Leader* (May/June 2013)

"Benefits of Model-Based Process Integration," co-author, *Invited Paper of the Proceedings of the Lake Constance 5D Conference* (April 2013)

BIM for Facility Managers, Chapter 4: "Legal Issues When Considering BIM For Facilities Management" (Wiley April 2013)

"Chapter 4: Legal Issues When Considering BIM For Facilities Management," co-author, *BIM For Facility Managers* (April 2013)

"IPD Framework," *Hanson Bridgett White Paper* (July 2012)

"IPD Teams: Creation, Organization and Management," *Hanson Bridgett White Paper* (December 2011)

"Negotiating an Integrated Project Delivery Agreement," *The Construction Lawyer* (Summer 2011)

"Building Information Modeling (BIM) Issues and Implementation in Collaborative Projects," *Construction Law Journal*, State Bar of Texas, 9 (2) (Winter 2011)

Construction Law Handbook, Chapter 5; "The Use of Technology for Project Collaboration and Building Information Modeling" (WoltersKluwer 2010)

Forensic Structural Engineering Handbook, 2nd Ed., "Chapter 19: The Expert Consultant and Witness" (McGraw Hill 2010)

"Chapter 19: The Expert Consultant and Witness," *Forensic Structural Engineering Handbook, Second Edition* (2010)

"Furthering Collaboration," chapter author, *Building (in) The Future: Recasting Labor in Architecture,* Princeton Architectural Press (2010)

"Developing Meaningful Contract Terms for Electronic Communications on Construction Projects," *The Construction Lawyer* (Spring 2009)

"Chapter 5: The Use of Technology for Project Collaboration and Building Information Modeling," co-author, *Construction Law Handbook* (2009 & 2010)

"Building Information Modeling: A Framework for Collaboration," *Construction Lawyer, Vol. 28, No. 3* (Summer 2008)

"Chapter 8: Deciding to Litigate: A Practical Guide to Electronic Discovery in Construction Disputes," *Managing and Litigating the Complex Surety Case*, Second Edition (2007)

"Integrated Project Delivery: A Guide," contributing author, *The American Institute of Architects* (2007)

"Integrated Project Delivery: A Working Definition," contributing author, *The American Institute of Architects* (2007)

"Chapter 5: Liability on the Contract," co-author, *Architect and Engineer Liability: Claims Against Design Professionals, Third Edition* (2006)

"Chapter 5: Legal Aspects of Condition Assessment and Reporting," *Structural Condition Assessment* (2005)

"CERCLA Arranger Liability: Emerging Risk for Environmental Consultants," *Vol. 14, No. 1* (Winter 1994)

"Enforceability of Limitation of Liability Clauses," *The Construction Lawyer, Vol. 14, No. 2* (Spring 1994)

"Chapter 1: Avoiding and Managing Risk of Differing Site Conditions," *Differing Site Condition Claims* (1992)

"Limitation of Liability — The View after Markborough," *The Construction Lawyer Vol. 11, No. 3* (Summer 1991)

Presentations

"Ghosts of Projects Past - The Past, Present, and Future of Project Delivery," panelist, American College of Construction Lawyers (October 2026)

"Evolution is Real: Lessons Learned from the Past 50 Years of Construction Law," panelist, American Bar Association's Construction Forum (May 2026)

"Integrated Project Delivery (IPD) Contracts: Keys to Success," co-presenter, WPL Construction Webinar Series (March 2026)

"IPD After 20 Years: Where has it gone? Where is it going?," co-presenter, Lean Construction Institute Congress (October 2025)

"Introduction to Integrated Project Delivery (IPD) - Part 1," co-presenter, Lavery (April 2025)

"The Legal Scope of Collaborative Contracts," 4th International Conference on Virtual Design and Construction (CIVDC) (December 2023)

“Assessing Common Challenges & Mistakes in IPD & How to Get Ahead of Them to Optimize IPD and Streamline Future IPD Projects,” 8th Annual Advancing Integrated Project Delivery Summit (December 2023)

“Crafting the IFOA Contract to Provide an Optimal Framework for Your Projects,” 8th Annual Advancing Integrated Project Delivery Summit (December 2023)

“Application of Collaborative Project Delivery to Major Infrastructure Projects,” Toronto Region Board of Trade (January 2023)

“Breakouts: Discussing the Trajectory of IPD From Here & How We Can Better Leverage Learnings From Our Failures to Reach Full Potential,” co-presenter, Advancing Integrated Project Delivery Conference (December 2022)

IPD Keynote at the 29th Annual Canadian Council for Public-Private Partnerships (November 2021)

“Principles of Integrated Project Delivery,” The Energy Summit 2020 (October 2020)

“Integrated Project Delivery in North America - Development and Experiences,” German Lean Construction Institute Conference (June 2019)

“Legal Issues in Procuring for Lean Services; Issues and Principles Open & Transparent Procurement,” Lean in Public Sector (December 2018)

“Digital Construction Law – The Legal Implications of BIM ,” University of Copenhagen - Faculty of Law (September 2018)

“Integrated project delivery and BIM in the USA and alliances in Brazil,” Kings College London (March 2018)

“Keynote Address,” ECA Infrastructure Productivity Forum (IPF) (February 2018)

“Keynote Address,” Northern California Kaiser Permanente Symposium (October 2017)

“Keynote Address,” Southern California Kaiser Permanente Symposium (September 2017)

“IPD Contracts to Enhance Collaboration,” Stanford Center for Integrated Facility Engineering (September 2017)

“IPD: Trends and New Developments,” AIA Large Firm Roundtable (September 2016)

“IPD: Trends and New Developments,” British Columbia Construction Roundtable (September 2016)

“Integrating Project Delivery: A Coherent Strategy for Optimizing Project Performance,” COAA-CA Fall Workshop (September 2016)

“Topical challenges in project insurance for large projects, featuring BIM and other considerations for project participants and insurers,” co-speaker, Canadian College of Construction Lawyers 2016 Conference (May 2016)

“A Business Model for Integrated Project Delivery,” Lean Construction Institute (May 2016)

“Collaboration Confirmed: The Integrated Agreement and Strategies For When You Can’t,” CURT, LCI and AGC Lean Construction Summit (June 2015)

“IPD Updates/Opportunities in Healthcare and Higher Education,” IFMA Chesapeake Chapter’s Conference on T. Rowe Price and Integrated Project Delivery (May 2015)

“Integrated Project Delivery (IPD) – Collaborative Planning and Execution,” Pacific Business & Law Institute - The Nuts and Bolts of Successful Construction Projects - Vancouver, BC (April 2014)

“Optimizing Project Delivery IPD From the Owner’s Perspective,” Construction Owners Association of America (COAA) 2013 Fall Owners Leadership Conference (October 2013)

“Integrated Design and Project Delivery,” Net-Zero North American Leadership Summit (October 2013)

“Presentation on Relationship between BIM & IPD, ” Ontario Architects Association Conference (May 2013)

“Structuring an Integrated Project,” keynote speaker, University of North Carolina, School of Architecture and American Institutes of Architects (February 2013)

“IPD: Key Points and Panel Discussion,” American College of Construction Lawyers Annual Meeting (February 2013)

P2SL-LCI American Institutes of Architects Lean Design Forum (February 2013)

Institute for BIM in Canada Conference, keynote speaker (November 2012)

“Integrated Project Delivery,” 14th Annual Lean Construction Institute Congress (October 2012)

“Integrated Project Delivery,” co-speaker, CoreNet Global SLCR Forum (October 2012)

“Integrated Project Delivery,” British Columbia Construction Roundtable Breakfast (September 2012)

“Integrated Project Delivery,” Lean Construction Institution; Workforce Institute (September 2012)

“Legal Issues Regarding Building Information Modeling (BIM),” co-speaker, BASF-Barristers Construction Law Section (September 2012)

“Structuring an Integrated Project to Optimize Outcome and (appropriately) Allocate Risk,” Northwestern University Symposium on Technology for Design and Construction (August 2012)

“Integrated Project Delivery for Healthcare,” American College of Healthcare Executives (March 2012)

“Integrated Project Delivery,” Young Presidents Organization (January 2012)

“BIM…Look both ways before you leap!” Ontario Association of Architects (October 2011)

“Integrated Project Delivery: Getting Under the Hood,” AGC IPD & Lean Construction Building Conference (September 2011)

“New Trends in Hospital Construction,” moderator and panelist, Massachusetts Building Congress (September 2011)

“The Structure of Integrated Project Delivery,” Canadian College of Construction Lawyers (June 2011)

“Key Elements of Integrated Project Delivery,” LinCP Forum (April 2011)

“Integrated Project Delivery,” University of California Berkeley Civil Engineering Department (February 2011)

“Building Information Modeling and IPD,” Building Futures Council Annual Meeting (November 2010)

“Bracing for Construction Claims During a Slow Economic Recovery,” Hanson Bridgett’s Public Agency Construction Seminar (October 2010)

“American Experience in Collaboration: How BIM is Reinventing Design and Construction,” ALM BIM Conference, Vancouver, B.C. (September 2010)

“Alternative Project Delivery for California Public Projects and Negotiating an IPD Agreement,” The Integrated Project Delivery Seminar (September 2009)

“Building Information Modeling: Issues and Implementation,” Boston Society of Architects (November 2008)

“Integrated Project Delivery,” Construction Management Association of America Annual Conference (October 2008)

“Legal Issues Surrounding the Use of Building Information Modeling For Design and Construction,” Society of Construction Law, London (October 2008)

Press

“Crafting the Collaborative Contract,“ *Lean Construction Blog* (November 2023)

“Integrated Project Delivery’s First How-To Guide Makes its Debut,” *Engineering News-Record* (June 2018)

“The Productivity ‘Train Wreck’: Why Construction Struggles to Compete with Rival Industries,” *Construction Dive* (May 2016)

“Integrated Project Delivery Can Work Well But Is Still No Utopia,” *ENR* (June 2015)

Honors & Awards

Best Lawyers (2006-2027); Lawyer of the Year (2013, 2023)

Canadian College of Construction Lawyers, Honorary Fellow

Stanford University Civil and Environmental Engineering, Consulting Professor

American College of Construction Lawyers, Fellow

Canadian College of Construction Lawyers, Honorary Fellow

Chambers and Partners USA, Construction Band 1 (2009 - 2026)

American Bar Foundation, Fellow

International Bar Association, International Construction

Who’s Who Legal, Thought Leader Construction (2023-2024)

Lean Construction Institute, Pioneer Award (2022)

The Legal 500, Recommended Lawyer (2015-2019)

Super Lawyers, Construction Litigation (2004-2025)

AIA California Council - Commendation for assistance in developing IPD: An Updated Working Definition and service on the AIACC IPD Taskforce, (2014)

American Institute of Architects, Special Achievement Award, San Francisco Chapter (2008)

American Institute of Architects, President's Award (2007)

San Francisco Magazine, Top 10 Northern California Super Lawyers (2004)

Martindale-Hubbell AV Rating

National Academy of Construction

Professional Affiliations

American Bar Association Committee

Professional Licenses

U.S. Green Building Council, LEED® Accredited Professional

Education

J.D., University of California, Berkeley School of Law (1979)

A.B., Stanford University (1974)

Admissions and Courts

California

Nevada

Supreme Court of the United States