

Construction Litigation & Expert Witness Consulting

Specializing in construction-related claims: contract disputes, defective design, specifications or construction defects; schedule delays; lost productivity; GC project administration & performance issues; A&E professional designers' administration issues; industry standard practices and compliance issues; contracts, scope of work, change order, and cost overrun analysis. Contractor Termination & subsequent Construction Management completion of the projects.

Construction-related safety and personal injury (PI) litigation.



Services & Profile Expertise

I have over 45 years of experience in direct hands-on project and construction operations (including 25 years as a commercial GC in San Francisco and the greater Bay Area), administration, and management as an owner's representative, 3rd party construction manager, and general contractor. I have completed projects in approximately 130 commercial buildings in San Francisco.

Over the recent years, Mr. Wilson Construction Managed five complex commercial structural rehab and Tenant Improvement projects where he was retained to restructure and rebid the projects, realizing verified average cost reductions of 32% on the initial \$27.5MM totals. On one complex building rehab project, he renegotiated \$3.2 M in submitted change orders to a final payoff of \$1.8 M for a 44% cost reduction!

He speaks "fluent contractor" and knows where and how to look to uncover buried "contingencies."

Marty Wilson has been retained as a commercial and residential construction expert in 10 cases involving defects, lease issues, construction deficiencies/defects, GC termination for non-performance and personal injuries. He has been deposed in one case and provided trial testimony in four other cases. (The others were settled before depositions and trial).

Testimonials

"I have asked Marty Wilson to be an expert witness on several cases. Marty's knowledge, understanding of the litigation process, and thorough preparation for deposition and trial have greatly assisted me with my cases. Marty can often frame challenging construction litigation issues into concepts easily understood by laymen."

Garret D. Murai, Partner
Nomos, LLP

"Garret,

You may recall referring me to Marty Wilson a couple of years ago. Fast forward to this week, Marty testified for us as a construction expert in SF Superior Court. He was fantastic. Total mastery of the subject matter and a natural witness. The plaintiffs' counsel, an extremely capable trial lawyer, couldn't touch him. I will definitely be looking for opportunities to use Marty in the future and would recommend him without hesitation."

Carl D. Ciochon, Partner
Wendel Rosen

Education & Licenses

MS CE -- Construction Management, Stanford University

Awarded full Tuition Master's Fellowship from the School of Engineering

BS Civil Engineering, Stanford University

Advanced Management College

GSB Continuing Education, Stanford University

Accounting for Non-Financial Managers

Department of Economics, Stanford University

California Contractor's License # 392190 (active)

Nevada Contractor's License # 48646 (inactive)

Operational Experience

45+ Years in the following Project Categories:

- ▶ Design Drawing Plan Checking & Review
- ▶ Constructability Analysis
- ▶ Conceptual Estimating & Scheduling
- ▶ Plans & Spec Hard Cost Bidding
- ▶ Turnkey Design & Construction
- ▶ Build To Suit & Design/Build Projects to meet a GMP
- ▶ Commercial Development Analysis & Proforma
- ▶ Solicitation, Retention, and Management of Project A&E and Professional Consultants
- ▶ Lease Work Letters, Tenant Improvement, Restoration, Landlord Scope Issues & Costs
- ▶ General Construction Scope of Work Documentation & Standards
- ▶ MEP Design/Build Standards Documentation
- ▶ Construction Contract Business Terms Review
- ▶ Contract Negotiations – Hard Bid Fixed Sum, Cost-Plus & GMP
- ▶ Project & Construction Management
- ▶ Project Invoicing Requirements & Documentation
- ▶ Change Order Evaluation & Mitigation
- ▶ Discounted Payoff Negotiations

Professional Experience & Background

Project & Construction Management

MDW Group, Inc., San Francisco

CEO & President 2008 – Present

Third-Party Project & Construction Management

Project and Construction Management of commercial building, rehab, and office TI projects representing developers and tenants

Construction Operations Consulting

Management & Operations consulting to construction company executives emphasizing best practices in project management systems

Construction Litigation Consulting – Expert witness investigation, analysis, consultation, and testimony

Real Estate Development

OAC, LLC Oakland, CA

Managing Development Principal 2002 – 2007

Real Estate Development LLC formed to design, construct and lease a 4-story, ground-up 90,000 SF office building in Oakland's Central Business District.

MDW Associates, LLC Oakland, CA

Developer & Owner 1999 – 2006

Real Estate Development LLC formed to rehab and lease a 3-story, 20,000 SF office building in Oakland's Central Business District.

Project Development Responsibilities

- Wrote business plans, Project Proforma, and LLC offerings to raise capital
- Negotiated purchase agreements and financing packages
- Retained, negotiated contracts, and managed design, construction, and leasing project teams
- Development Manager of Tenant Leasing and TI construction; negotiated and executed tenant leases
- Negotiated and executed building sale transaction with Tenant Owner-User

General Contracting

CIC Associates, Inc., Oakland, CA
Founding Co-Partner 1978

CEO 1997 — 2004

President 1982 — 1997

VP Operations & Project Management 1978 — 1982

COO with P&L responsibility for a commercial general contractor. General Contractor's License Holder #392190

- Directed the Company's General Construction, Project & Turnkey Management services throughout California and four states
- Operations: Developed and Implemented procedures for Preconstruction Services, Estimating/Bidding, Contract Writing & Negotiation, Project Management, Project Supervision, Quality Control, and Invoicing
- Completed approximately 10 M Sq Ft total in projects and \$85 M in annual project valuation for an average of 100 projects/year. Managed 60 employees - including 16 Project Professionals and 24 Project Superintendents
- Recognized in annual listings in the San Francisco Business Times' Top 25 General Contractors

Publications

<https://www.mdwgroup.com/press>

Websites

<https://www.mdwgroup.com/expert-witness>

<https://www.mdwgroup.com>

<https://www.linkedin.com/in/martydwilson>

Professional References

Richard Sipos, Esq.

Law Office of Richard A. Sipos
(Formerly Construction Partner at Fennemore Wendel, Oakland)
c: (925) 708-1183
Rsipos@rsiposlaw.com

Garret D. Murai, Esq.

Nomos LLP
(510) 930-3300
gmurai@nomosllp.com

Michael Mengarelli, Esq.

Kelly Litigation Group
(650) 591-2282
mmengarelli@kellylitigationgroup.com


Mike Betz, Esq.

Allen Matkins et al., LLP
(415) 273-7453
mbetz@allenmatkins.com

Marty Wilson
Principal

MDWGROUP
Expert Witness Consultation

C 415.602.4345

www.mdwgroup.com | 

Marty.Wilson@MDWGroup.com

Marty Wilson Deposition & Trial History

Trials:

1. Fotuhi, Epps, Hillger, Gilroy LLP (S Fotouhi -- GC-Subcontractor Contract Dispute, Napa CA)
2. Del Rio Stone v. Tolentino Kelly Litigation (R Kelly -- Residential Tile Work Defects in Menlo Park, CA)
3. Pongracz & Stevens Residence v. Pro Paver Wendel Rosen (G Murai -- Residential Landscape & Deck Work Defects, San Francisco, CA)
4. Crossroads Trading Co Wendel Rosen (C Ciochon -- Exiting Easement Issue in San Francisco, CA)
5. Patel vs. Kashaneh Construction Inc (I Brady, IB Law Firm – Residential Breach of Contract, Oakland, CA)

Depositions

6. BAE SYS v. C&M Allen Matkins (R Moore & M Betz – I was deposed twice concerning a Large Commercial Lease Restoration Dispute in Milpitas, CA)

Retained with No Depositions or Trial (Cases were settled after Expert submissions and before Depositions and Trial Testimony)

7. Joseph v. Build Group Alexander Law Group (PI -- Laborer fell through concrete deck opening)
8. O’Keeffe v. J&J Air Conditioning The Boccardo Law Firm, Inc. (PI -- HVAC sub knocked off a ladder)
9. CCH v. Lamb Residence Kelly Litigation (R Kelly Residential Construction Defects Atherton)
10. Bryant v. Metcalf Kelly Litigation (PI -- Residential Bathroom crawl space Trap Door San Rafael)
11. TGDCE, Inc (Wook) v. Streamlined Building R Sipos Law Offices (Residential Contract Payment Dispute – currently in progress May, 2025)

Schedule of Rates

All Consultancy on and off site, Deposition and Trial Prep Services	\$350 Per Hour
Deposition Attendance & Standby Time	\$400 Per Hour
Mediation, Arbitration, ADR & Trial Attendance, Testimony & Standby Time	\$450 Per Hour
Retainer	\$3,500