



Procurement & Contracting

We enjoy helping clients explore new territory, see the possibilities. We pioneered the use of design-build on transportation projects. We procured some of the first revenue risk P3s during the first decade of this century and were the first to procure availability payment-based P3s more than a decade ago.

Our experience representing more than 80 public infrastructure agencies across the U.S. spans the entire contracting and procurement process. We draft procurement and contract documents and negotiate the terms of those documents through industry engagement processes such as one-on-one meetings and procurement period design discussions. Our experience in drafting contracts and procurement documents extends to all delivery methods.

We have worked as lead counsel to public agencies procuring large, complex projects using design-build, design-build finance, design-build with long-term maintenance, design-build-operate-maintain and design-build-finance-operate-maintain delivery methods. Based our experience, we have the ability to advise clients on procurement options, the pluses and minuses of each option, and provide guidance on which options will best meet their goals.

OPTIONS AND SERVICES

- Conventional project development
- Innovative procurement
- Best value selection
- Auctions
- Price and other factors
- Unsolicited proposals
- Innovative contracting
- Construction management at risk

- Toll concessions
- HOT lanes and managed lanes
- Availability payment contracts
- Pre-development agreements
- Design-build
- Design-build-operate-maintain
- Design-build-finance-operate-maintain
- Private finance initiatives
- Asset transfers
- Asset leases and securitizations (brownfields)
- Public-private partnerships (PPPs)
- Traditional project development (design-bid-build)
- Toll supply, installations, integration, and operations contracts
- Operations and maintenance
- Professional services contracts
- Risk allocation
- Insurance, sureties, and risk management
- Contract administration, claims management and resolution
- Hazardous materials and risk allocation