

Andrée Blais

Partner | Los Angeles

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Andrée Blais focuses on delivering major public infrastructure projects through public-private partnerships (P3s) and other alternative delivery methods. She helps public agency clients advance complex procurements in the transportation and social infrastructure sectors. She has significant experience in performance-based availability payment P3 projects.

Andrée serves as a lead or key member of Nossaman teams assisting with high profile U.S. projects, and offers the additional benefit of substantial infrastructure experience in Canada – a country with a well-established approach to P3 delivery.

While in Canada, Andrée’s roles included working with Alberta Justice, where she led the legal team advising the Province of Alberta on its first two availability payment social infrastructure P3 deals and helped advance major transportation projects and a water/wastewater facility through P3 models.

Andrée, who had the privilege of beginning her legal career as a law clerk to the Hon. Mr. Justice Frank Iacobucci of the Supreme Court of Canada, co-authored Nossaman’s model social infrastructure P3 legislation.

EXPERIENCE

Los Angeles County Metropolitan Transportation Authority – Sepulveda Pass Rail Transit Program. Leader of the legal team engaged to implement Metro’s first application of the Pre-Development Agreement delivery method to develop the approximately \$6 billion to \$10 billion Sepulveda Pass Rail Transit project through one of the most congested interstate highway corridors in the nation. This transit line will connect with the San Fernando Valley and Los Angeles’ Westside, integrating into the East-West SFV LRT, the Orange Line, the Purple Line the Expo Line, and ultimately LAX.

City of Los Angeles, Los Angeles World Airports – Automated People Mover (APM). Key member of the legal team advising on a \$4.9 billion APM train system to ease access in and out of the Los Angeles International Airport. It will also connect travelers to a light rail, intermodal transportation facility and a rental car center. It is the first APM system procured through an availability payment public-private partnership delivery model and earned several national and international awards. Andrée’s services included leading the development and drafting of procurement and contract documents and advising the City in connection with commercial and financial close.

Los Angeles County Metropolitan Transportation Authority (LA Metro) – Link Union Station (Link US) Project. Leader of the legal team advising on the agency’s first CM/GC project to convert LA’s Union Station from a “stub-end” to a “run-through” station. The project will increase operational capacity to meet the demands of the regional rail system, and provide full multimodal connectivity between light rail, subway, commuter and intercity rail with local,

regional, and intercity bus services and shuttle services. The project will proceed in two phases. Phase A will include modifications to platform 4 at Union Station and construction of a viaduct across the 101 freeway to ultimately accommodate 10 run through lines; Phase B will include raising the entire track yard at Union Station to enable 10 run through tracks across the 101 freeway.

City of Los Angeles, Los Angeles World Airports -Consolidated Rental Car Center (ConRAC). Key member of the legal team advising on the ConRAC project at the Los Angeles International Airport (LAX). The facility will relocate and centralize car rental facilities away from the Central Terminal Area and provide direct access to major freeways. The \$2 billion project is being procured through an availability payment public-private partnership delivery model. The project captured many honors. Andrée's services included advising on commercial terms and performance-based strategies and advising the City in connection with financial close.

The Regents of the University of California – UC Merced 2020 Campus Expansion Project. Key member of the legal team that advised the University of California on a \$1.3 billion P3 project that doubled the size of its Merced campus with the addition of new facilities, including student housing, classrooms, recreational facilities and associated infrastructure. The award-winning project is the first university availability payment P3 to close in the United States, and achieved substantial completion on schedule and on budget in June 2020. The project was awarded platinum LEED, making it the first public research university to be certified as carbon neutral. Andrée's services included drafting contract documents and advising on commercial terms and performance-based strategies.

San Francisco Bay Area Water Emergency Transportation Authority – Water Transportation System. Leader of the legal team that advised on the procurement of a construction management at risk (CM at risk) contract for a two-phase, \$65 million FTA-funded project to expand and improve existing facilities at the downtown San Francisco Ferry Terminal. WETA will require the contractor to perform early construction work during the project's first phase, and that services on the agency's existing ferry routes remain fully operational during the project's construction. Andrée's services included advising WETA on its contracting approach (including phasing of the project's construction work), drafting documents, and helping ensure compliance with the legal requirements applicable to this innovative type of contracting.

Arizona Department of Transportation. Researched and prepared a memorandum on alternatives for organizing a central state P3 office, drawing on examples from other jurisdictions, identifying pros and cons for each alternative, and providing a checklist of concepts for inclusion in legislation to expand P3 authority in Arizona.

City of Indianapolis – Marion County Justice Center. Key member of the legal team that advised on this innovative availability payment P3 project to consolidate the City's criminal justice functions into a single efficient center. The plan, one of the first of its kind for a justice complex, called for \$500 million of up-front design, construction and financing costs to shift to a private partner responsible for operating, maintaining and upgrading the facility for 35 years. The proposed 1.2-million-square-foot facility combined a new adult detention center with a community corrections facility, courthouse, sheriff's department offices and new surface parking. The City released an RFP to three shortlisted teams in June 2014 and selected a preferred bidder in December 2014. After successfully completing negotiations with the bidder, the Mayor and City staff recommended awarding the project and advancing to commercial and financial close. The City Council, however, decided not to move forward with the complex and cancelled the procurement after receiving three compliant bids. Andrée's services included drafting procurement and contract documents, assisting in one-on-one meetings with proposers, responding to proposer questions regarding commercial terms and assisting with the evaluation process.

SaskBuilds, a Treasury Board Crown Corporation of the Province of Saskatchewan. Assisted SaskBuilds with development of its P3 program, including guidelines for assessing and selecting projects best suited for P3 delivery and strategies and standards for P3 procurements.

Province of Alberta – Alberta Schools Alternative Procurement Project I. At Alberta Justice, leader of the legal team that advised the Province on its first social infrastructure P3 project – a bundle of 18 schools in Edmonton and Calgary. This award-winning CAD \$634 million, 30-year availability payment DBFM project involved numerous stakeholders including four school boards and two municipalities. The school boards own and operate the schools and provide educational programming and custodial services. The new schools, built to LEED Silver standards, opened in September 2010 with space for more than 12,000 students. Andrée's services included structuring, drafting and finalizing the contract documents, advising on commercial terms, addressing proposer issues in one-on-one meetings and negotiating through commercial and financial close.

Province of Alberta – Alberta Schools Alternative Procurement Project II. At Alberta Justice, leader of the legal team that advised the Province on its second bundled schools project, a 30-year P3 providing for 10 schools in the Edmonton and Calgary regions. This CAD \$253 million availability payment DBFM project involved eight school boards and six municipalities. The new schools, built to LEED Silver standards, opened in June 2012 with space for more than 7,900 students. Andrée’s services included structuring, drafting and finalizing the contract documents, advising on commercial terms, addressing proposer issues in one-on-one meetings and negotiating through commercial and financial close.

Province of Alberta – Evan Thomas Water and Wastewater Treatment Facility P3 Project. At Alberta Justice, key member of the legal team that advised the Province on the expansion and upgrade of water/wastewater facilities in the environmentally sensitive Kananaskis area of Alberta. The Province awarded the 10-year, DBFO project to EPCOR in October 2012. The \$59.6 million project, which opened in September 2014, included a capital contribution from P3 Canada through the P3 Canada Fund. Andrée advised during the project development phase and her services included structuring and drafting procurement documentation including the project agreement and advising on commercial terms.

Province of Alberta – Northwest Anthony Henday Drive Ring Road P3 Project. At Alberta Justice, key member of the legal team that advised the Province on this DBFO availability payment project for the development of the Northwest quadrant of the Edmonton ring road system. The Alberta Government signed a 30-year contract with a Bilfinger Berger BOT Inc.-led consortium to deliver the CAD \$1.42 billion project, which provided 21 kilometers of 6-lane and 4-lane divided roadway with eight interchanges, five flyovers and two railroad crossings. The roadway opened to traffic in November 2011. Andrée advised during the project development phase and was involved in preparation of procurement documentation.

Province of Alberta – Northeast Stoney Trail Project. At Alberta Justice, member of the legal team that advised the Province on the DBFO P3 procurement of the Northeast quadrant of the Calgary Ring Road system. The Province entered into a 30-year agreement with a Bilfinger Berger BOT Inc.-led consortium to develop the CAD \$650 million project, which includes 21 kilometers of new 4-lane and 6-lane divided freeway and six interchanges. Construction began in spring 2007 and the roadway opened to traffic in November 2009. Andrée advised during procurement, award and commercial and financial close and assisted with contract administration.

INSIGHTS

SPEAKING ENGAGEMENTS

Speaker, "Navigating Environmental Compliance for Public-Private Partnerships," Transportation Research Board Webinar, 04.21.2021

Speaker, "Social Infrastructure – Alternative Delivery Methods Involving Private Finance," Private Client Presentation, 07.08.2020

Speaker, "Alternative Project Delivery Models and Procurement Strategies for Infrastructure," Private Client Presentation, Los Angeles, 03.04.2020

Speaker, "Public-Private Partnership (P3) Procurement Training Course," U.S. Department of Transportation, Build America Bureau, Los Angeles County Metropolitan Transportation Authority, Los Angeles, 11.21 - 22.2019

Panelist, "What Do Design-Builders Need to Know About P3's?," 2019 Design-Build Conference and Expo, Las Vegas, NV, 11.07.2019

Panelist, "Infrastructure Panel," Citi California Municipal Conference, Rancho Palos Verdes, CA, 11.09.2018

Moderator, "Are We There Yet? – The Quest for the Efficient P3 Procurement," U.S. Infrastructure Law Forum, Leesburg, VA, 09.24.2018

Speaker, "Private Financing for Port Infrastructure," American Association of Port Authorities Port Real Estate Issues Workshop, Seattle, WA, 09.18.2018

Moderator, "Transforming LAX - LAWA's Automated People Mover and ConRAC Projects," P3C Media's P3 Airport Summit, San Diego, CA, 07.23.2018

Speaker, "The Automated People Mover – Transforming LAX," Women's Transportation Seminar International's 2018 Annual Conference, San Diego, CA, 05.17.2018

Speaker, "Public-Private Partnerships: The New Paradigm," Railway Age Light Rail 2017 + Rail Transit Finance Forum, Denver, CO, 04.20.2017

Speaker, "Public-Private Partnerships (P3s) for Social Infrastructure," CLE International Alternative Delivery & Financing Conference, Austin, TX, 01.30.2017

Speaker, "Design Build Finance Operate Maintain P3s - Basic Characteristics," 3rd Annual California Construction Law Seminar, 01.20.2017

Panelist, "Let's Get Jurisprudential: Hot Topics in P3 Law and Procurement," Canadian Council for Public Private Partnerships National Conference, Toronto, Ontario, 11.14.2016

Moderator, "Social Infrastructure and Innovative P3s," Public-Private Partnership Conference & Expo 2016, Dallas, TX, 03.08.2016

Panelist, "The Growth and Management of the Municipal and Civic Pipeline," 2nd Annual P3 Hub South Conference, Miami, FL, 02.17.2016

Speaker, "Considerations for the Designer in Design-Build Delivery," American Institute of Architects and Design-Build Institute of America San Francisco chapter's Demystifying Design-Build Series, San Francisco, CA, 05.07.2015

Panelist, "Best Practices for Public Building P3 Projects: What Works and What Doesn't?," National Council for Public-Private Partnerships/Performance Based Building Coalition P3s for Public Buildings Summit, Miami, FL, 11.17.2014

Co-Presenter, "Procurement and the Laws of Competitive Bidding: Managing Risks," Canadian Bar Association (Saskatchewan Branch) Mid-Winter Meeting, Saskatoon, Saskatchewan, 02.07.2013

Speaker, "The New West Partnership Trade Agreement and Public Sector Procurement in Saskatchewan," Canadian Bar Association (Saskatchewan Branch) Mid-Winter Meeting, Regina, Saskatchewan, 02.02.2012

PUBLICATIONS

Author, "P3 Delivers APM at LAWA," *Project Finance International's 2018 Global Infrastructure Report*, 06.01.2018

Author, "Capturing Innovation," *P3 Bulletin*, 02.01.2016

Author, "Wanted: Trillions of Dollars – New Financial Instruments Might Finally put Sorely Needed Private Dollars to Work," *Real Assets Adviser, A Publication of Institutional Real Estate Inc.*, 06.01.2015

HONORS & RECOGNITIONS

"California's Top 100 Women Lawyers" honoree, *Los Angeles Daily Journal*, 2019

"Most Influential Women Lawyers" honoree, *Los Angeles Business Journal*, 2018

COMMUNITY & PROFESSIONAL

Design-Build Institute of America, P3 Committee

FHWA Initiative to Promote Adoption of Value Capture to Deliver Highway Projects, Member of Technical Working Group, 2018-2019

Women's Transportation Seminar: Los Angeles, Legislative Chair, 2018-2020; WTS International Conference, National Programs Committee, 2018-2019

PRACTICES

Infrastructure

Dispute Resolution
Legislation & Policy
Procurement & Contracting
Project Financing
Regulatory & Compliance Matters

EDUCATION

McGill University, LL.B., 1996, *with Great Distinction*
Osgoode Hall Law School of York University, LL.M., 2004
University of Saskatchewan, B.A., 1991, *with High Honors*

ADMISSIONS

California
Saskatchewan, Canada