

# Public/Private Partnerships

We have counseled clients on both sides of public-private partnerships, representing the interests of both the private and public sectors in a wide variety of situations.

Each side of a P3 relationship has a unique perspective. The Government wants to protect its assets while mitigating the cost of running and operating them. The private industry wants to make profitable investments while fostering innovation and building revenue streams. With the best private/public partnerships, both sides achieve their goals: One side does not have to lose in order for the other to win. We understand what it takes for government to work smoothly with private sector clients, and we can help all participants to navigate the business landscape as smoothly as possible.

Our team is equipped to provide services across all phases of P3 projects: Design, Finance, Build, and Operate.

## Design

The world of private/public partnerships can be dauntingly complex and, frankly, filled with red tape. The key is knowing how to unravel it all. Our involvement in many of these partnerships from their very beginning bid stages means we have worked through the red tape with both our public and private sector clients, evaluating the many types of issues that arise including labor, zoning, licensing, legislation and regulatory hurdles.

## Finance

Our attorneys have unique capabilities across areas such as tax-exempt bond financing, new market and historic tax credits and traditional commercial financing. We have represented universities, banks, and municipalities in finding the right blend of financing, which is essential to the implementation of a project. We have been able to unlock projects that had been stalled because traditional funding sources were not sufficient. Our P3 team has been able to unleash tremendous value for clients such as public universities that have needed capital projects. We have also assisted municipalities looking for a method to accomplish much needed improvements to governmental buildings in times of shrinking tax revenue.

## Build

When it is time to break ground on a P3 project, there is no greater ally than our construction practice group to navigate through all phases and issues in the construction process. Our attorneys have engineering degrees and contracting backgrounds, allowing us to understand the day-to-day aspects of seeing a project to completion. We have assisted clients in structuring RFPs and negotiating contracts. Our areas of strength include drafting of bid and contract documents, project administration, claim preparation and dispute resolution.

## Operate

Once the project has been constructed, there are myriad complexities during the operations phase. One of the most important is the management group that will be running the project on a daily basis. The structure of the management agreement or lease is key to the long term success of all parties. How these operating agreements are structured will have a significant impact on the project's rate of return for both public and private investors.

We represent clients across the nation. Each jurisdiction has unique guidelines to navigate in order to implement P3 projects. We also have partner lobbyists and attorneys with the depth and breadth of knowledge to guide our clients through the possibilities and achieve positive and expected outcomes.



## Construction Law Leader

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## Construction Law Areas of Practice

Architecture, Engineering & Construction  
Claim Prosecution & Defense  
Construction Loan Audit Services  
Labor/Employment Disputes  
Project Administration