

Alternative Project Delivery

We represent states, counties, cities, public authorities and special districts in every region of the country. Our infrastructure practice encompasses an extensive array of projects developed and implemented on a competitive proposal basis using the design-build (DB), progressive design-build (PDB), design-build-finance (DBF), design-build-operate-maintain (DBOM), design-build-finance-operate-maintain (DBFOM), public-private partnership (P3), construction-manager-at-risk (CMAR), contract operations (CON OPS), and concession delivery methods. The firm is highly experienced and actively involved as owner's lead counsel in procuring and contracting for projects in the five core infrastructure industries: water, transportation, public buildings, solid waste, and power and renewable energy. We draft and negotiate project agreements that are clear, comprehensive, commercially reasonable and protect the public fisc.

Ground-Breaking and Award-Winning Projects

Hawkins leads the way in advising on ground-breaking public agency infrastructure projects completed using the alternative delivery and P3 approaches, and many of our projects have received industry awards for innovation and excellence.

A representative list of ground-breaking and award winning projects on which we have served as owner's lead counsel includes:

Award Winning Projects

San Diego County Water Authority, California - Carlsbad Seawater Desalination P3 Project. The first large scale water sector P3 project in the United States. Recipient of a *Project Finance Magazine Deal of the Year Award*, a *Bond Buyer Deal of the Year Award*, and a *Global Water Intelligence Desalination Plant of the Year Award*.

State of California (Administrative Office of the Courts) - New Long Beach Court Building P3 Project. The first major social infrastructure P3 project in the United States, and recipient of a *Bond Buyer Deal of the Year Award*.

City of Phoenix, Arizona - Lake Pleasant Water Treatment Project. The first large scale water sector design-build-operate project in Arizona and recipient of the Design-Build Institute of America's *National Design-Build Award*.

City and County of Santa Fe, New Mexico - Buckman Direct Diversion Water Treatment Project. Recipient of the Design-Build Institute of America's *National Design-Build Award*.

Spokane County, Washington - Regional Water Reclamation Facility. Recipient of the Design-Build Institute of America's *National Design-Build Award*.

Woodland-Davis Clean Water Agency. - Regional Water Treatment Project. Recipient of the Design-Build Institute of America's *National Design-Build Award*.

Industry Firsts

San Antonio Water System, Texas - Vista Ridge Regional Water Supply P3 Project. The first large scale water sector P3 project in Texas.

New York State (Empire State Development) - Javits Convention Center Expansion Project. At \$1.5 billion, the first large scale social infrastructure design-build project in New York.

Massachusetts Bay Transportation Authority - Multi-modal automated fare collection P3 project. Innovative P3 project for improved customer service and fare collection efficiency serving the Boston region.

Washington, DC (DC Water) - Blue Plains Wastewater Treatment Plant Biosolids Management and Digester Gas combined Heat and Power Projects. The first United States application of the Cambi thermal hydrolysis biosolids management technology and related cogeneration facilities, procured on a design-build and design-build-operate-maintain basis.

City of Houston, Texas - Lake Houston Water Treatment Project. With a 320 MGO capacity, the first maximum scale progressive design-build project in the United States.

City of Seattle, Washington - Tolt Water Treatment Project. The first large scale design-build-operate-maintain water treatment project in the United States.

City of Cranston, Rhode Island - Wastewater Treatment and Concession Project. The first large scale P3 wastewater sector project and concession in the United States.

Contract Counterparties

As owner's lead legal advisor in alternative project delivery and P3 procurements, Hawkins offers municipal clients the value of our experience in having negotiated contracts with an exceptionally broad range of major national engineering, architectural, construction, design-build, operating service, facilities management, equity sponsor and project development firms.

Industry Forums

Hawkins infrastructure attorneys are regular presenters at alternative project delivery industry forums, reflecting the firm's commitment to advancing the state of the art for the benefit of owners, practitioners, and industry participants and stakeholders, including those sponsored by:

- American Membrane Technology Association
- American Waterworks Association
- Clinton Global Initiative
- Design-Build Institute of America
- Global Water Intelligence
- International Bridge, Tunnel and Turnpike Association
- International City Managers Association
- International Desalination Association
- National Association of State Treasurers
- National Council of Public-Private Partnerships
- Solid Waste Association of North America
- The Bond Buyer
- Underground Infrastructure Management
- United States Conference of Mayors
- Urban Water Institute
- Water Environment Federation

Responsibilities as Legal Advisor

Hawkins, at the request of our clients, regularly assumes responsibility for organizing and leading the procurement and contract negotiation process in compliance with applicable law, working in close coordination with the owner's city or

county attorney or general counsel and with the owner's technical and financial advisors. Our services regularly include drafting project and procurement enabling legislation; conducting business case workshops for selecting a project delivery method; preparing market sounding surveys and requests for qualifications and proposals; and reviewing submittals by project proponents. Hawkins' infrastructure lawyers also draft and negotiate the entire range of project documents necessary to effectuate alternative delivery and P3 procurements, along with related real estate and financing documents. We are especially skilled and experienced in assuring the security for performance of the project agreements. Working with regional counsel, we assist in resolving permitting, environmental and labor challenges. The firm regularly advises on contract administration and workout matters.

Practice

- Public-Private Partnerships

Industries

- Power and Renewable Energy
- Public Buildings
- Solid Waste
- Transportation
- Water