

## Transportation

The firm has a long history of serving as counsel to many of the nation's major transportation systems, including the statewide highway systems in Oklahoma and New York. Hawkins regularly serves as bond counsel, special disclosure counsel, underwriters' counsel and procurement and contract counsel for the construction and financing of large-scale transportation projects. Hawkins is pleased to have acted as counsel in connection with projects serving the New York, Boston, Washington, Chicago, San Francisco and Honolulu metropolitan areas.

We are widely recognized as a top tier firm nationally for our expertise in advising public transportation agencies on sophisticated financing structures involving toll revenue, passenger fees, concession leases, multiple lien structures, GARVEE instruments and TIFIA loans.

Hawkins also is active in advising public agencies on the construction and financing of transportation projects on an alternative project delivery and public private partnership basis. The firm has served as owner's lead transaction counsel and underwriters' counsel on several ground-breaking design-build and P3 highway, toll road, airport and mass transit projects. In order to avoid potential conflicts of interest, Hawkins represents only public agencies and financial institutions in its transportation industry procurement and contract practice.

### **Historical Commitment and Modern Leadership**

Hawkins' involvement in the development and financing of United States transportation infrastructure dates back to the 19th century with the westward expansion of railways. In the 1930s, we assisted with the creation of the Triborough Bridge and Tunnel Authority and New York State Bridge Authority in their pioneering use of innovative financing mechanisms, which were later used as prototypes for the most modern toll-based financings. The firm participated in the creation of the historic interstate compacts that created the Washington Area Transit Authority and the Port Authority of New York and New Jersey.

In recent years, we have continued to play a leading role in the development of financing programs for regional bridges, public transportation systems, airports of all sizes, state and interstate highways and seaports. The firm works in a key advisory role in many states, including California, Connecticut, Arizona, Maine, New York, Oklahoma, Tennessee, Rhode Island, Colorado, Florida, and Oregon, serving as bond counsel, underwriters' counsel, disclosure counsel and special counsel in the implementation of their transportation capital programs.

Since the inception of the Transportation Infrastructure Finance and Innovation Act (TIFIA) program, our lawyers have also represented the United States Department of Transportation as one of its most active outside special counsel, closing more than a dozen projects involving well over \$3 billion in secured and guaranteed federal loans.

### **Structuring Advice and Statutory Drafting**

Hawkins was a principal author of state legislation in New Jersey, New York, Rhode Island, Oklahoma, Connecticut, Maine, and West Virginia establishing gasoline tax, dedicated trust fund and toll roads and other transportation systems. We are expert in state codes, regulations, and constitutional provisions affecting transportation revenue-backed and related debt issues. The firm is also highly knowledgeable in all of the revenue financing tools and structures used in the transportation industry, including GARVEE, toll revenue, gasoline and dedicated taxes, passenger facility charges and other fees.

### **Alternative Project Delivery and Public-Private Partnerships**

In the transportation industry, Hawkins maintains a robust practice as owner's lead counsel and lenders' counsel for infrastructure projects delivered on a P3 and alternative delivery basis, including highway, toll road, bridge and mass transit projects.

The firm represents The Massachusetts Bay Transportation Authority on groundbreaking automated fare collection P3 and design-build project and on a design-build commuter line signaling project. Other P3 transportation projects on which Hawkins has served as owner's counsel include the A-2 Autostrada P3 project (Poland's first highway P3), the New Jersey Turnpike (proposed P3 concession), Alaska's proposed Knik Arm Bridge, and San Diego's proposed Brown Field Cargo Airport area.

Our transportation team, in an industry first, drafted the legislation authorizing the Rhode Island Department of Transportation's Rhodeworks Program. The program combines the tolling of large commercial trucks on interstate roads with federal GARVEE financing to fund the construction of repairs to more than 10 structurally deficient bridges in the State, along with tolling gantries built under the design-build-maintain delivery method.

Serving as underwriters' counsel, Hawkins played a key role in the successful P3 financing of the new Central Terminal Building at LaGuardia Airport, as well as the Denver FasTracks P3 project. The firm's work for TIFIA as lender's counsel includes major P3 and design-build projects in Texas, Florida, Puerto Rico, Washington, Illinois, Colorado, Nevada and California.

## **Alternative Project Delivery and Public-Private Partnerships Engagement List**

The following is a representative list of the firm's engagements as owner's lead counsel and lender's counsel for project procurements in the transportation industry:

- Alaska Department of Transportation
- Arizona Department of Transportation
- Chicago Transit Authority
- Colorado Department of Transportation
- Denver Regional Transportation District
- Florida Department of Transportation
- Los Angeles County MTA
- Massachusetts Bay Transportation Authority
- New Jersey Department of Transportation
- New Jersey Turnpike Authority
- Port Authority of New York and New Jersey
- Reno (Nevada)
- Republic of Poland Transportation Ministry and Finance Industry
- Rhode Island Department of Transportation
- San Diego (California)
- Texas Department of Transportation
- Tren Urbano (Puerto Rico)
- Washington Department of Transportation
- Washington Metro Area Transit Authority

## **Practices**

- Alternative Project Delivery
- Bank Counsel
- Bond Counsel
- Disclosure Counsel

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- Public-Private Partnerships
- Underwriters' Counsel

## Industry

- Economic Development