



Contracts & Public Works



We have a wide range of experience drafting public contracts, including (a) professional services and consulting agreements, (b) real estate related and land development documents, (c) public improvement projects, and (d) other multi-faceted municipal agreements. From routine agreements for a small tract of homes or technology agreements for computer services, to settlement agreements for complex disputes, to documenting complex agreements among regulatory agencies, developers and contractors for a \$100,000,000 site-remediation project, we negotiate and draft agreements for our clients every day. We draft our contracts to anticipate and address contingencies and to eliminate vague or confusing language.

We are expert in the public contracting process, both under municipal purchasing ordinance procedures, and with respect to approving public projects and awarding contracts governed by state law, including the Public Contracts Code. We are familiar with specialized areas of public law concerning developing infrastructure, privatizing public facilities, drafting franchising agreements, preparing financing and assessment contracts, and evaluating state codes affecting contracts for special districts and other governmental entities.

Expertise

- Franchise Agreements - Solid Waste, Pipeline and Utility
- Public Works Construction Contracts
- Design-Build Contracts
- Construction Management Contracts
- Surety Contracts and Procedures
- Professional Services Agreements
- Equipment and Personal Property Purchasing Agreements
- Real Property Contracts - Purchase/Sale Agreements, Leases, Deeds, Easements, Licenses, Promissory Notes, Deeds of Trust
- Public Financing, Credit and Reimbursement Agreements
- Economic and Housing Agreements - ENAs, DDAs and OPAs

ATTORNEYS

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- Joint Powers Agreements
- Development Agreements and Subdivision Improvement Agreements
- Release and Settlement Agreements; Indemnity Agreements
- Memoranda of Understanding
- Deposit Agreements
- Annexation Agreements
- Sales Tax Agreements
- Joint Use Agreements
- Covenant Agreements

Expertise in Action

For our municipal clients we have developed a set of standard contracts that staff can use to prepare their agreements for consultants, contractors and public works. These standard forms simplify the task of preparing a contract, while simultaneously ensuring the contracts encompass the legally required clauses for public contracts as well as all of the desired protections. By allowing staff to fill in a few blanks, add a few exhibits (a scope of work, any special provisions, a schedule of payment and a schedule of performance) and forward the contract to our office for review, this process results in a substantial savings of both time and money.

We are expert in the process of public agency authorization of such contracts, including public bidding and award of contract procedures of local ordinance and state law. This includes retention of architects and engineers, preparation of bid specifications and procedures to evaluate the qualifications of and disqualify bidders. We have authored design-build contracts and developed ordinances to permit design-build contracts and the development of "guaranteed maximum price" program management agreements. We have extensive experience with construction disputes, arbitration procedures, subcontractor and stop notice procedures, mechanics liens, liquidated damages, surety issues and similar matters. In addition to dealing with many street, lighting, pipeline, storm drain, and landscaping projects, some costing millions of dollars, we have been involved with many other large-scale public projects, some \$500M in public infrastructure, including:

- Airport Expansion..... Palm Springs
- City Hall Projects..... Cerritos, Culver City, Cypress, Lawndale, Perris, Signal Hill
- Community Centers..... Carson, Cypress, Lawndale
- Convention Center..... Palm Springs
- County Administration Center..... Hesperia
- Fire Stations Hesperia, Palm Springs, Perris
- Gymnasium, pool..... Irwindale, Perris, Suisun City
- Library Projects Lawndale, Signal Hill
- Major Streetscape Projects..... Culver City, Lawndale, Palm Springs, Perris, Signal Hill



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| Marina | Suisun City |
| Park and Recreation Facilities | Baldwin Park, Bellflower, Lawndale, Perris |
| Parking Structures | Culver City, Palm Springs |
| Public Art Projects..... | Bellflower, Culver City, Fillmore, Palm Springs, Signal Hill |
| Police Stations..... | Culver City, Signal Hill |
| Senior Centers..... | Baldwin Park, Culver City |
| Sheriff Station/Family Clinic..... | Perris |
| Skate Parks | Bellflower, Cypress, Irwindale, Palm Springs, South Pasadena |
| Solar Carports..... | Perris |
| Stormwater Capture..... | Carson |
| Wastewater Treatment Plant..... | Arvin, Palm Springs |
| Water Reservoirs & Systems..... | Banning, Signal Hill |

Our attorneys are experienced in complex litigation matters involving public contracts and construction disputes. Those matters included stop notice claims, actions to recover damages against contractors and architects, and litigation defense of public works claims, resulting in various judicial decisions in favor of our clients. In *Carson Redevelopment Agency v. Aguilos*, LASC Case No. BC 0320553, we successfully litigated a multi-million dollar professional negligence and breach of contract claim against an architect based on defective design plans for the Carson Community Center expansion project.