

Practices

Public-Private Partnerships

With a widening gap between the cost to build, operate, and maintain infrastructure projects and the capital available through conventional funding sources, federal, state, and local authorities are turning more frequently to public-private partnerships (P3) to procure large infrastructure projects. But the approach is not without risk. P3 projects are often coupled with evolving policy and administrative challenges that are difficult to navigate and can adversely impact project viability. Astute legal counsel and policy professionals can anticipate challenges, assist in identifying strategies, and contribute to successful project delivery.

Representing clients in public-private projects throughout the United States, Akerman has significant infrastructure and P3 experience. Our lawyers advise clients in the structuring, development, construction, financing, procurement, dispute resolution, and tax implications of P3 and infrastructure privatization projects. In addition, our public policy professionals have significant experience in P3 legislation and in the appropriations process for P3 projects.

We represent owners, concessionaires, contractors, subcontractors, consultants, design professionals, governmental entities, and public agencies in a range of public-private projects, including roads, rail and transit, airports, energy infrastructure and power generation facilities, sports facilities, parking facilities, correctional facilities, and environmental infrastructure. With significant experience in public finance law and development incentives, we have

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Our Team

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been counsel in connection with billions of dollars in infrastructure financing transactions. In addition, with team members who have career experience in construction and engineering matters, we routinely advise clients on the legal aspects of the many technical, business, and legal questions that arise during the planning, design, and construction of major infrastructure projects.

What We Do

- Development, construction, and financing of major transportation infrastructure projects
- Due diligence reviews
- Project structuring and financing packages
- Negotiation and drafting of concession, construction, operation, and maintenance agreements
- Negotiation and drafting of design-build contracts
- Public contract law, including state procurement codes and statutes, federal contracts, and grant requirements
- Regulatory, permitting, and environmental issues and litigation
- State and federal lobbying on legislative initiatives, tax reforms, and appropriations earmarks