

Public, Private Partnerships (P3)

Becker's P3 team has proven public and private sector knowledge, experience and contacts to assist governmental entities and businesses seeking to partner on public facilities projects.

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Continued downward pressure on government budgets combined with mounting need for improvements to roads, sewers, schools and other public assets creates business opportunities for private companies to partner with public entities to fill that void. Public, Private Partnerships (P3) are mutually advantageous arrangements allowing public needs to be met with private financing, ingenuity and experience and permits the public sector to transfer some of the risks of such projects to the private sector.

Becker established its Public, Private Partnership practice team with attorneys having proven public and private sector knowledge, experience and contacts in order to assist governmental entities and businesses seeking to partner on public facilities in overcoming dwindling government funds and ever-increasing demands for improved roads, sewers, schools, civic buildings and other public assets.

Becker's P3 team has long standing experience representing governmental entities and private sector governmental vendors. Representative projects include Louisiana State University's P3 development of the Nicholson Gateway, a residential hall/mixed use, multi-phase project estimated at approximately \$400 million. Other P3 representations include projects at the University of Central Florida and Bethune Cookman University (a private development following the P3 model). The firm is currently engaged on P3 projects such as the Wet N Wild water park in Fort Lauderdale, the Broward County Convention Center Hotel and Nova Southeastern University's residential hall (another private development following the P3 model). The firm represents both public and private sector participants, so we are adept at anticipating issues and concerns our client's partners may have and we can offer early solutions.

Our team adds value to every engagement. We assess the political landscape, reach out to key decision makers, and advise on regulatory requirements. We also advise on procurement strategies, deal structure, and contract negotiations. We assist in structuring all aspects of the transaction, while continually providing general legal and strategic counsel in areas including:

- **Real Estate, Transactional, Financing.** Our Real Estate, Corporate and Securities attorneys help structure, document and close transactions; they assess project feasibility, address land use issues, handle all contracts and draft funding agreements;
- **Legislation and Lobbying.** Our Government Law & Lobbying team provides on-call 24 hour/day service helping clients navigate the political landscape for a project and develop strategies for winning support with stakeholders;
- **Procurement.** Our procurement attorneys assist clients in complying with all requirements of the public contracting and procurement process;
- **Development Reviews and Project Permitting.** Our firm's land use attorneys advise clients on compliance with laws relating to development, environment, land use and more that are needed for government approval of major infrastructure projects;
- **Contract Drafting.** Our firm handles the drafting and review of all manner of agreements necessary to implement P3s, including, but not limited to, development agreements, operation agreements, lease agreements, memoranda of understanding, and financial agreements.

Experience

- The P3 team played an active role in drafting and helping win passage of the

PPP law enacted in Florida in 2013 and the amendments thereto. P3 team members speak regularly about the law and the opportunities it presents. Our P3 team has made numerous presentations to interested agencies and at conferences all around the country.

- The firm is a founder of the Florida Council for Public/Private Partnerships, a state-wide P3 trade association consisting of nearly 100 members from the public and private sectors. We are also active members of the Performance-Based Building Coalition, a national organization and public and private P3 participants that, among other things, advocated for private activity bonds in Washington, D.C. Finally, we are active members of the Association for Improvement of America's Infrastructure, another organization favoring P3s as an integral part of its mission.