

Public-Private Partnerships: Social Infrastructure

Social infrastructure is the backbone of American communities—hospitals, schools and universities, transportation centers, courthouses, public housing, and jails. Citizens rely on these facilities to last. With limited budgets and increasing need, municipalities and public agencies are looking for new strategies to deliver and maintain these long-term investments and keep business running smoothly.

This complex challenge requires skill, creativity, and experience. Ballard Spahr is a national leader in public-private partnerships, or P3s, a useful solution to viable planning, structuring, and financing of social infrastructure.

Our across-the-board strength in all phases of program and project planning, from legislative efforts through programmatic advice, pre-procurement, project structuring and negotiation, to Ballard Spahr's long-time strength in public and project finance—the core of many P3 ventures—has earned us a reputation for excellence in P3 structuring and financings. We help communities finance complicated, vital projects that actively address our national challenges of aging infrastructure, viable redevelopment of existing assets, and creation of efficient, responsive new facilities that citizens can rely on for years to come.

We are uniquely positioned to support clients' legal needs during all phases of procurement for P3 and other alternative project delivery structures—from design-build to design-build-finance-operate-maintain (DBFOM) to full concessions.

We work with federal, state, and local governments, as well as private sector developers, investors, borrowers, and lenders. Our P3 attorneys have sat on every side of the deal table, helping clients minimize cost, maximize quality, and keep projects on schedule to completion.

Representative Transactions

Miami-Dade Courthouse Lender's Counsel. We served as counsel to the lenders for the chosen proposer for the P3 development of new courthouse facilities.

Amtrak 30th Street Station Parking Garage. As counsel, we assisted in the land use approvals, financing, design, and construction of a nine-level, 1,500-space parking garage adjacent to 30th Street Station in Philadelphia.

District of Columbia. We represented an international developer in the recently revived D.C. Streetlights P3, which will change out all lights and many poles for smart-city upgrades in the District. We served as counsel to the developer as part of its bid for the District of Columbia's Smart Street Lighting Project led by DC's Office of Public-Private Partnerships, Department of Transportation, and Office of the Chief Technology Officer.

Baltimore Peninsula. We represented Under Armour in this \$5.5 billion, 235-acre P3 redevelopment on the Baltimore waterfront. The master-planned, mixed-use project—one of the largest TIFs in the U.S.—includes two light rail stations, and residential, commercial, and leisure development.

Prince George's County Public Schools. We served as finance counsel to a proposer team for the P3 procurement to renovate, maintain, or build new schools throughout the county.

Denver Union Station. We were counsel on the 50-acre P3 transit redevelopment that includes a 22-bay underground bus terminal, a light rail station for current and future routes, a commuter rail station for Amtrak and a ski train, and public plazas to integrate transit service.

Harvard University. We represented the university in its 50-year campus expansion program. We created integrated, customized form documents for each step, including contracts for consultants, design, and construction, and advised on risk management, sustainability, and project delivery issues.

Pennsylvania Turnpike Broadband. We served as lender's counsel in connection with the proposed Pennsylvania Turnpike Broadband P3 project, including drafting the financing term sheet, commenting on commitment letters and related documents, reviewing and commenting on the lender's technical report, conducting due diligence on the project, and reviewing and commenting on the underlying P3 project agreements and lender's direct agreement.

Private Sector P3 Sponsor. We serve as sponsor's counsel to the winning Proposer for the City of Annapolis resiliency and parking P3, presently in post-selection negotiations. The P3 seeks to revitalize and reimagine the transportation and parking resources in downtown Annapolis, Maryland, where additional revenues will be used to convert much of its historic City Dock to a pedestrian, park-friendly environment, that also serves to ensure greater resilience in the face of rising sea levels.

Contacts

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Other Ballard Spahr P3 and Alternative Delivery Projects

Intermodal/Port

- Seagirt Marine Terminal
- Port of Nome, Alaska
- Port of Wilmington, Delaware
- Port Newark Container Terminal
- Southport (Philadelphia)
- Port of Kansas City, Missouri

Transit/Rail

- Denver Union Station
- Amtrak Portal North Bridge
- Chicago Union Station
- Baltimore Penn Station
- Maryland Purple Line Light Rail

Energy/Utilities

- Philadelphia Gas Works LNG
- Duquesne University Energy
- Allentown Water/Sewer
- Blythe, Pennsylvania Landfill
- Howard University Energy
- East Stroudsburg Sewer

University Housing

- University of Illinois
- Delaware State University
- Lehigh University
- University of Maryland
- Princeton University

Highway/Bridges/Toll Lanes

- 495 Express North Split Design-Build (Indiana DOT)
- Scribner-West Point Design-Build (Nebraska DOT)
- Coalfields Expressway (Virginia DOT)
- Rapid Bridge Replacement (Pennsylvania DOT)