

PUBLIC AND MUNICIPAL LAW

Public Contracting and Procurement | Municipal Law | School Building Projects

Public and Municipal Law

Our Public and Municipal Law Group comprises attorneys from several disciplines and provides a variety of services to state, regional and municipal entities. The practice encompasses general public contracting and procurement, municipal law and education law. Members of the group serve as town counsel, special counsel, issuer's counsel and underwriter's counsel to government entities.

Public Contracting and Procurement

The Public Contracting and Procurement Group represented government entities, including municipalities and enterprise districts, in purchasing matters, public works and public construction projects. We advise clients on all legal matters surrounding public construction, including proper bid forms and specifications and compliance with the legal requirements for public solicitations. We also analyze and advise clients relative to contractor and vendor claims.

Our attorneys are experienced in public procurement of goods and services under the Massachusetts Uniform Procurement Act. We advise public-sector clients on all aspects of public solicitations, from the preparation of bids and requests for proposals to the review and analysis of bids and the awarding of contracts, including the disqualification of bidders and the defense of bid challenges. We also advise public entities on the legal requirements surrounding the acquisition and disposal of interests in real property.

Our attorneys assist our public-sector clients in successfully structuring and implementing low-bid or alternative procurements, including drafting procurement regulations, documenting new procurement procedures and preparing the corresponding public solicitation materials.

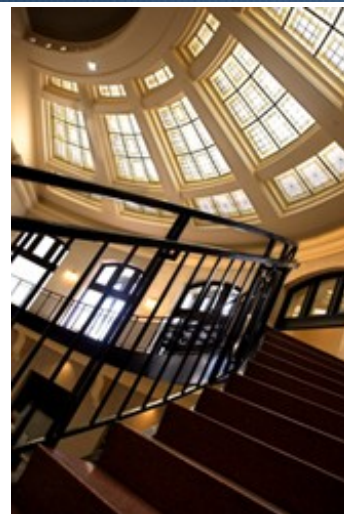
We have represented both governmental and private entities in major design/build and design/build/operate procurements for large public projects, including transportation and water/wastewater projects, in private operation and management contract procurements for public facilities and in innovative financing projects through the U.S. Department of Transportation and the Federal Highway Administration for national highway and mass transit facilities.

Mirick O'Connell offers a full range of services to our public-sector clients in implementing capital programs and projects, including drafting special legislation where necessary for particular projects and advising clients with respect to structuring project financing. Our Public Contracting and Procurement Group works closely with other groups within the firm to review and advise on construction and other project contracts, address permitting and zoning issues, review potential claims or possible litigation issues, and advise on environmental and other regulatory compliance matters.

Municipal Law

Our attorneys serve as labor counsel, town counsel and special counsel to Massachusetts municipal and regional entities. The Municipal Law Group advises our municipal clients with respect to a full range of legal issues, including labor and employment, conflict of interest, land use, zoning and subdivision control, collective bargaining, property taxation, public procurement and bidding procedures, designer selection, public construction, environmental matters and litigation. We work with town managers, boards of selectmen and other municipal officials, advising them with respect to municipal legal issues. We attend public meetings and hearings; prepare contracts, warrants and orders; and draft special legislation as required.

The firm's municipal litigation practice addresses a broad spectrum of issues, including the defense of civil rights and tort claims, public bidding and public procurement disputes, and labor and employment cases.



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Excellence in our work.
Excellence in client service.
Excellence in value.

School Building Projects

Our attorneys counsel and represent public and private schools and colleges on legal issues related to school policies, labor and employment law, discrimination, student rights, school construction and project financing. We provide ongoing advice to our clients regarding federal and Massachusetts laws that affect educational administration, and we assist school administrators in effectively delivering educational services in an increasingly demanding legal environment.

Public schools are both educational institutions and employers that are subject to a myriad of state and federal laws and regulation. We take a team approach to advising and representing the firm's educational clients, which allows us to counsel them in both of these roles. We counsel schools in the complexities of disciplining students, drafting student handbooks and interpreting the Education Reform Act. We advise and represent educational institutions on student rights issues, including reviewing and revising student codes of conduct, drafting policies under the Drug-Free Schools and Communities Act, and providing advice on students' participation in athletic and other extracurricular activities.

We also represent and advise our public and private educational clients in labor and employment issues, including personnel issues, collective bargaining, grievance arbitration, unfair labor practices and the negotiation of employment agreements with school administrators.

In addition, we represent educational clients in governmental investigations and defend against charges before state and federal administrative agencies, including the Massachusetts and federal departments of education, the Massachusetts Department of Labor Relations, the Massachusetts Commission Against Discrimination, the Equal Employment Opportunity Commission and the U.S. Department of Labor, as well as before state and federal courts.

Massachusetts legal requirements related to public school construction, innovation and repair are complex and frequently amended. Our attorneys advise public school clients on projects ranging in scope from new school design and construction to general purchasing matters.

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MIRICK, O'CONNELL, DEMALLIE & LOUGEE, LLP