

Hudson Valley

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Pannone Lopes Devereaux & West Municipal Team Awarded Contracts in New England, New York and Oklahoma

Firm's national portfolio of legal services for alternative delivery projects expands



Teno A. West, Partner

Pannone Lopes Devereaux & West LLC (PLDW) Municipal Infrastructure (MI) Team announces their selection as legal advisors on multi-million dollar infrastructure projects in Massachusetts, Metropolitan New York and Oklahoma. Using their vast experience in the areas of public contracts, water law, solid waste management, environmental law, litigation, real property law, construction law, public finance and procurement law, the firm's MI attorneys have gained national attention as a result of their work representing local, regional and federal governments with developing municipal infrastructure projects using alternative delivery methods, including design-build, design-build-operate and public-private partnerships.

The projects are in the Town of Poughkeepsie, NY, Fall River, MA, and in Tulsa, OK. Led by PLDW Partner Teno A. West and Senior Counsel Josh J. Meyer, the MI team also recently guided the Town of Ramapo, New York through the construction of a minor league baseball stadium.

In Metropolitan New York, Mr. West led the Town of Poughkeepsie's successful negotiations with United Water for the private management of the Town's

Arlington Wastewater Treatment Plant and Country Club Wastewater Treatment Plant, including drafting the service agreement and guiding all transactional requirements of the public-private partnership. The legal engagement also included employment issues and reducing risk for the City in the long-term operations and maintenance of its two treatment facilities. United Water is one of the nation's leading water companies which owns and operates water utilities and manages more than 200 municipal and industrial water and wastewater systems in the U.S.

In the Town of Ramapo, NY (Rockland County), Mr. Meyer and Mr. West led PLDW attorneys on every aspect of the procurement, construction, operation and financing of a new 6,000-seat minor league baseball stadium, owned by the Ramapo Local Development Corporation. The stadium, Provident Bank Park, has since hosted more than 100,000 fans in its inaugural season. In addition to establishing the local development corporation on behalf of its client, PLDW attorneys oversaw the development of this project, including the negotiation and drafting of all requests for proposals and agreements, the coordination of all financing, and the management and resolution of all associated legal issues, as well as developing the overall schedule and timing of the various legal aspects of the project. PLDW attorneys served as bond counsel, negotiated a lease and development agreement with the minor league team, created an urban renewal plan for the ballpark property, participated in all aspects of private and public financing of the project, and addressed all day-to-day issues involved with the construction and operation of the ballpark project. PLDW litigators also successfully defended the local development corporation in an action to block the construction of the ballpark.

“These projects add to the national portfolio of municipal infrastructure projects that PLDW has been tapped to provide legal services for as a result of our attorneys’ skills and knowledge of alternative delivery infrastructure projects and the benefits gained through public-private partnerships,” said Mr. West. “We are pleased to be a part of these innovative projects and welcome the opportunity to

work with the local communities, local and state officials, and some of most experienced engineering, management and financial advising firms in the world.”

In Fall River, MA, PLDW is working with the city to procure a private company to permit, design, build, finance, own, operate and maintain and market products for a municipal wastewater bio-solids processing facility for the long-term management of bio-solids generated from the city-owned wastewater treatment plant. The city is open to considering a full range of bio-solids processing methods, including several which are considered emerging technologies.

In Tulsa, OK, PLDW will participate as a member of the Infrastructure Management Group’s (IMG) team of professional advisors and consultants to conduct a comprehensive assessment of the water and sewer system for the Tulsa Metropolitan Utility Authority. Mr. West, who is considered a national authority on municipal infrastructure projects, will review and analyze the legal structure, lease agreements, and operating and maintenance contracts which define Tulsa Metropolitan Utility Authority’s (TMUA) governance protocols and its relationship with the City of Tulsa as it fulfills its charge to provide water and wastewater services.

Mr. West will be evaluating the service contracts which exist between TMUA and additional communities and identifying the impacts of covenants contained within TMUA’s bonds, as well as assisting with the development of strategic options such as public-private partnerships.

Mr. West, who is frequently invited to speak to national audiences on public-private partnerships and alternative project delivery methodologies, represents government agencies across the country in his practice area. Under Mr. West’s leadership, PLDW attorneys have advised municipalities throughout the United States.