

PUBLIC CONTRACTS & PROCUREMENT

We Wrote the Manual on How California Builds

Meyers Nave structures, runs, and defends procurements for California's government entities. We build programs for megaprojects, capital improvement programs, and large heavy civil works, and we stay through closeout and the disputes that threaten to derail every stage. If public money builds it, we know the rules that govern it because we wrote the manual, literally.

For decades, our contracts and manuals have run major ports, airports, cities, counties, school districts, hospitals, and critical infrastructure. Practice chair [Eric Firstman](#) has taught public contracting to California agencies statewide since 2001.

We run procurements under the newest delivery statutes and have watched our clients emerge as leaders in their industries and regions. And because the same lawyers who strategize also defend these documents in protests, high-stakes litigation, and appeals, every option we present reflects a working knowledge of exactly how procurement documents get attacked.

What We Do

- **Creating & redesigning procurement systems** – Procurement manuals, prequalification programs, and bid documents an agency can reuse for years
- **Delivery-method selection** – Design-bid-build, construction manager at risk, design-build, progressive design-build, and job order contracting, matched to the project's risk and the agency's authority
- **Bid processes & award** – Responsiveness and responsibility determinations, best-value scoring, contract negotiation, and protest defense through writ proceedings; we have handled hundreds of bid protests
- **Professional services agreements** – Architects, engineers, construction managers, and the consultant bench a capital program runs on
- **Reusable contract templates** – Baseline documents and full contract manuals, built to be reused program-wide
- **Technology & equipment contracts** – Specialized purchases from enterprise software systems to hydropower turbines
- **Conflicts, compliance & federal funding** – Government Code section 1090, organizational conflict-of-interest policies, Minority and Women Business Enterprise requirements, local-hire ordinances, project labor agreements, prevailing wage, and compliance with 2 CFR Part 200 and FTA Circular 4220.1G

PRACTICE CHAIRS



Eric
Firstman
PRINCIPAL



Doug
McManamon
PRINCIPAL

ATTORNEYS

Eric Firstman
Adam Lindgren
Doug McManamon
Harry Moren

- **Public-works claims, dispute resolution & litigation** – Contractual liability allocations, claims procedures administered during the work, and public-works claims prosecuted and defended through trial

Prevention Is Our North Star

Our contracts and manuals continue to run capital programs across California for a reason. We know which issues become claims, and we address them in the specifications before bid day. When a dispute arrives anyway, we get close to the facts early to sort entitlement from noise, preserve leverage, and say plainly what outcome is realistic before positions harden. And we do it more cost-effectively than larger and smaller firms alike.

That's why clients come to us when the delivery method is new to them, the dollars are federal, the schedule is political, or the protest has already arrived.

The same lawyers who run the procurement carry it into [construction](#) and try the disputes that follow. And because a public procurement is also a public decision, we work the [council actions](#), the [public process](#), and the [political exposure](#) that run alongside the documents.

EXPERIENCE

Transbay Joint Powers Authority – The Portal

Lead transactional counsel on the \$2 billion progressive design-build contract for the civil and tunnel work on The Portal. Progressive design-build was the right model because it holds price and schedule while the design is still moving, and we drafted the RFQ, the RFP, and the agreement itself in plain English, along with the program's organizational conflict-of-interest policy and its compliance with 2 CFR Part 200 and FTA Circular 4220.1G.

San Francisco International Airport – Terminal Expansion – lead transactional counsel (\$2.4B program, 40+ contracts)

Lead transactional counsel on the \$2.4 billion program, approximately \$1.4 billion of it construction value, delivered through more than 40 contracts, including the 2.5-million-square-foot international terminal, the design-build AirTrain system, two parking garages, and highway and BART access improvements.

Port of Oakland – Seaport & Airport Expansion (Vision 2000) – lead transactional counsel (\$2B+)

Lead transactional counsel on an expansion program exceeding \$2 billion, including the \$1.5 billion Vision 2000 airport program, procured through a Master Builder approach with design-build contracts and reusable procurement templates.

Kaiser Hospitals – Hospital Construction Program

Lead transactional counsel on 11 new hospital projects with a combined value exceeding \$2 billion; our reusable contract manuals for Kaiser span 13 hospitals and remain in use.

Novato Sanitary District – Energy Recovery and Efficiency Project

Construction Counsel to the Novato Sanitary District. We serve as construction counsel on the District's Energy Recovery and Efficiency Project, an estimated \$20 million project. The District elected to undertake a project at its wastewater treatment plant to capture and use energy to help power the treatment facilities. The scope of work includes cogeneration equipment design and installation, microgrid development with photovoltaic systems and vehicle fleet electrification, and multiple energy efficiency components including pump upgrades, high efficiency aeration equipment, and an ultraviolet disinfection system. We worked with the District and its design and construction management team to develop a procurement document in compliance with Public Contract Code section 22170 to select the design-build entity, prepared a Division 00 and 01 set of contract documents to address the required design, construction management, and construction services. Key parts of this contract package are the Guaranteed Maximum Price (GMP) development process, the procedures for the Owner to review, and accept or reject the GMP, and the required level of design development at the point of GMP review and acceptance. The District issued the RFP package in 2025 and selected a design-build contractor. Design and construction are expected to start in 2026 and we will continue to advise the District during this project.

City of Manteca – Navigation Center Project

Construction Counsel to the City of Manteca. We served as lead construction counsel on the City's Navigation Center Project. This planned \$18 million project was planned as a referral based, low barrier shelter for the City's homeless population to provide homeless adults with a path back to housing and self-sufficiency. We worked with the City and its design and construction management team to develop a procurement document in compliance with Public Contract Code section 22185 to select the design-build entity, prepared a Division 00 and 01 set of contract documents to address the required design, construction management, and construction services. For this project, our team focused on development of the qualification questionnaire to fine tune the questions to gather information regarding the planned team, team members, and relationship between the team's design and construction teams. Progressive design-build presents unique challenges because the proposing team is often a joint-venture between a design firm and construction firm with the design firm in co-equal or even lead role, which can be different than traditional design-build structures. Understanding team dynamics and prior working relationships allows the owner to more carefully gauge the proposal respondents. We completed the contract package and procurement documents.

Public Agency Construction & Procurement Contract Manuals –
City of Santa Clara, Kaiser Hospitals, City of Berkeley, San Francisco
school/community college district, County of Santa Clara, and 5

others

Over decades, we have prepared reusable design, construction, design-build and CM/GC contract manuals for the Port of Oakland Seaport and Airport Expansion projects (over \$2 Billion construction value), the San Francisco International Airport Expansion Project (approximately \$1.4 Billion construction value), cities (Berkeley, Santa Clara), counties (Santa Clara and San Mateo), school districts and community college districts (Sonoma Valley, Emeryville, Peralta, San Francisco), Irrigation District (El Dorado), and Kaiser Hospitals (13 hospitals, more than \$2 Billion construction value.)

Los Angeles International Airport (LAX) – Design-Build and Construction Contract Library

Meyers Nave has prepared reusable design-build and construction contract libraries for major California public agencies including LAX, SFO (\$2.4B expansion), and Port of Oakland Vision 2000 (\$1.5B).

County of Riverside – Children & Youth Wellness Center Design-Build Procurement

Construction Counsel for the County of Riverside. We serve as construction counsel on the County's planned Children & Youth Wellness Center project. We worked with the County to develop a procurement document in compliance with Public Contract Code section 22185 and have continued to advise the County in connection with this project which is in the early design phase.

City of Newark – Civic Center & Police Facility Design-Build

The first project of its kind under the then-new Local Agency Design-Build statutes, from the RFP and complete Division 00 and 01 specifications through design-builder selection and contract negotiation. The project finished on time and within budget, with no significant claims.

San Diego Association of Governments (SANDAG) – As-Needed Construction Claims Counsel

As-needed construction claims counsel for the San Diego Association of Governments, awarded through a competitive solicitation in 2026.

Washington Hospital Healthcare System – The Master Plan

Construction and procurement counsel across the Healthcare System's three-phase master plan exceeding \$500 million, now in design on Phase Three. Phase 1 delivered a central utility plant, the Center for Joint Replacement and utility infrastructure; Phase 2 delivered the 224,800-square-foot acute care facility and parking structure, spanning advance contracting for base isolation, contractor and design-professional procurement, administration, closeout, and dispute resolution.

City of Hayward – Claims-Procedure Enforcement

Summary judgment ending a contractor's eight-figure claim on the late-completed \$60 million State Route 238 reconstruction by enforcing the contract's own administrative dispute procedures, with the owner retaining the contract retention.

Novato Sanitary District & County of Riverside – Progressive Design-Build

Procurements under Public Contract Code sections 22170 and 22185 almost as soon as the statutes existed, including Division 00 and 01 documents and the guaranteed-maximum-price development process.

County of San Mateo – Capital Improvement Program Templates

Template general, design-build, and CM-at-risk contracts for the \$631 million capital program spanning hospital, jail, and office facilities.

El Dorado Irrigation District – Forms Still at Work

Reusable construction and services contracts drafted for the District two decades ago remain in use and out to bid today.

Harvest Power – Public Contract Code and Local Procurement Advice

Advised Harvest Power on Public Contract Code and local procurement requirements.