

SCHOOL DISTRICTS

Typical Legal Services

- ◆ **Provide strategic advice in planning and implementing School Districts' overall capital improvement programs**, from project inception through final completion. Includes assistance in selecting design professionals, environmental consultants, and other professionals to carry out the project, as well as assistance in preparing bid packages and awarding the contract.
- ◆ **Prepare and negotiate terms of agreements** between School Districts and architects, engineers, construction managers, environmental consultants and contractors.
- ◆ **Monitor school construction, renovation and environmental projects and implement trouble-shooting during the project.** Includes addressing errors and omissions claims, defaults, defective work, and providing practical solutions with assistance from the firm's strategic alliances to address project challenges.
- ◆ **Represent School Districts in negotiating with bonding companies.**
- ◆ **Prosecute claims against contractors** in arbitration and in court.
- ◆ **Prosecute and settle claims against architects and engineers** for design errors and omissions.
- ◆ **Defend School Districts** in claims relating to construction, renovation and environmental projects.
- ◆ **Use mediation and other forms of alternate dispute resolution** to achieve solutions to project disputes.
- ◆ **Negotiate settlements** between School Districts, architects and contractors.
- ◆ **Assist in resolving environmental issues** relating to indoor air quality, mold, lead based paint and asbestos in schools.

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Representative Experiences

- ◆ ROOF LEAK PERSISTED DURING RENOVATION OF LANDMARK MIDDLE SCHOOL

Significant leaks persisted during the construction of an additional story to a landmark middle school building in Westchester County. John E. Osborn P.C. was retained by the School District, and we immediately retained an engineer to investigate. The leaks were stopped at once, and the cost of the damage was recovered from the design professionals and contractors.

- ◆ CONTRACTOR'S FAILURE TO PROTECT SITE DESTROYS GYM FLOOR

When a school renovation was undertaken at an upstate school, water infiltrated the gymnasium during the renovation, even though the gym was not involved in the renovation. When the contractor and design professional refused to accept responsibility, our firm was retained to arbitrate against the contractor and architect for reimbursement of the costs to replace the gym floor. The School District received an arbitration award against both the contractor and the design professional.

- ◆ John E. Osborn P.C. ASSISTS OPERATION CLEAN HOUSE: ASBESTOS RE-INSPECTION OF NYC SCHOOLS

When the New York City School Construction Authority and the New York City Board of Education's Inspectors General uncovered information that cast doubt on the accuracy of the federally mandated AHERA asbestos inspections carried out in the 1980's, the Board of Education retained an environmental consultant in 1993 to re-inspect all of the City's 1,100 school buildings. John E. Osborn P.C. was retained by the environmental consultant to assist in developing the strategy to successfully carry out this assignment and to assure appropriate legal and financial protection. We were chosen for this assignment based on our firm's credentials in training. We were chosen for this assignment based on our firm's credentials in training asbestos designers, contractors and workers for a five-year period at New York University through licensing courses mandated by Federal, State and local laws. We were also chosen for our firm's in-depth knowledge of the asbestos abatement industry and our participation as a presenter before the National Asbestos Council (now known as the Environmental Information Association – EIA).