



**Michael C. Loulakis, Esq., DBIA**  
**President/CEO**

Capital Project Strategies, LLC  
11710 Plaza America Drive  
Suite 2000  
Reston, VA 20190  
(703) 871-5079  
(703) 433-9313 Fax  
mloulakis@cp-strategies.com

## OVERVIEW

**Mike Loulakis** has more than 30 years of experience in representing parties engaged in all aspects of the construction industry, particularly in matters involving procurement, risk management, and contract drafting. Nationally recognized for his expertise in design-build and public-private partnerships (P3), Mike has assisted public agencies on some of the largest transportation and water/wastewater projects in the country, helping them in formulating effective project delivery, procurement, and contracting strategies. He is also the lead or co-lead investigator in several national research projects for design-build and P3 best practices funded by FHWA and the Transportation Research Board.

In addition to his public sector experience, Mike also has extensive experience in representing private sector owners on domestic and international capital projects in the power generation (e.g., coal-fired, gas-fired, biomass and hydroelectric), petrochemical, and process industries. His role for these clients includes providing strategic assistance on EPC and EPCm procurements, drafting and negotiating contracts, and helping to resolve conflicts. Mike is also frequently asked to serve as a neutral in arbitrations, mediations, and DRBs, as well as to provide peer reviews on contracting practices and claims management.

Mike has a history of contributing to the advancement of the construction industry. He is one of the industry's most prolific writers and speakers on the subject of design-build and alternative project delivery. Mike has been one of DBIA's most active members since its formation in 1993, having served on its Board of Directors and co-authored DBIA's standard form contracts. He is currently leading DBIA's development of Best Design-Build Practices. Mike is also active academically, serving on the Tufts University School of Engineering's Board of Advisors and as an Adjunct Professor in the Department of Civil, Environmental & Infrastructure Engineering at George Mason University. In recognition of his contributions to the construction industry, Mike was inducted in 2012 to the National Academy of Construction. He holds a civil engineering degree from Tufts University and a law degree from Boston University School of Law.

## RECOGNITION

- Designated Design-Build Professional (DBIA)
- Consistently ranked as a "Band 1" construction lawyer in Chambers USA, which ranks the leading firms and lawyers in an extensive range of practice areas throughout America
- Recipient of the International Risk Management Institute, Inc. (IRMI) Words of Wisdom (WOW) Award
- Initiated into the National Academy of Construction

## REPRESENTATIVE EXPERIENCE

### Public Sector Transportation

- Representing the Metropolitan Washington Airports Authority (MWAA) on both Phase 1 and Phase 2 of the Dulles Corridor Metrorail (Silver Line) project. Services for Phase 1, which involved an 11.7 mile extension of the Silver Line from East Falls Church to Reston, VA, included drafting and negotiating the Phase 1 design-build contract, creating project control specifications, developing risk mitigation strategies, and

interfacing with other project participants. Services for Phase 2, which involves an 11.4 mile extension of the line from Reston through Dulles Airport to Ashburn, VA, include assessing project delivery options, drafting the design-build procurement and contract documents, and assessing various project issues (e.g., project labor agreements and DBE processes).

- Representing Virginia DOT's Office of Transportation Public-Private Partnerships (OTP3) on several of its P3 projects, including the Downtown Tunnel/Midtown Tunnel (DT/MT) and Route 460 projects. The DT/MT project involves the renovation of an existing tunnel and the construction of a new immersed tube tunnel under the Elizabeth River in the cities of Portsmouth and Norfolk. Services include assisting OTP3 in the commercial negotiation of the concession agreement and assessing project risk.
- Representing Virginia DOT's Alternative Project Delivery office in its statewide design-build program. Services include assisting VDOT with procurement and contracting policies, training of its personnel and advising on contract execution issues.
- Represented Houston Metro Transit Authority on its \$1.5 billion, 11 mile University Line light rail project. Services include assisting the project team in evaluating project delivery and procurement strategies.
- Represented Santa Clara Valley Transportation Authority (VTA) on its \$1 billion design-build BART extension to San Jose. Services include assisting the project team in evaluating project delivery and procurement strategies.
- Retained by Washington State DOT to provide risk assessment services on its Alaskan Way Viaduct replacement project.

#### Public Sector Water and Wastewater

- Representing DC Water on its \$1.8 billion Clean Rivers program (including three major tunnels) and its \$400 million Biosolids program. Services include assisting the project team in identifying and implementing the best delivery options, procurement approaches and contracting strategies for the various components of the projects, as well as drafting the associated procurement and contract documents.
- Represented Metro Wastewater Reclamation District (Denver, CO) on its \$300 million Northern Treatment Plant project. Services included assisting the District in alternative delivery assessments, procurement, contracting and risk strategies, and developing a progressive design-build contract for the project.
- Represented the Southern Nevada Water Authority on its \$500 million Lake Mead Intake No. 3 design-build project. The project included an intake shaft and a 3-plus mile intake tunnel beneath the lake, with unique tunnel boring conditions. Services included the development of all procurement and contracting documents, strategic advice on selection criteria and risk assessment, and strategic advice on claims and conflicts.

#### Private Sector

- Representing Massachusetts Eye and Ear Infirmary in the procurement and contracting of a DBFOM contract for an underground parking facility, a perennially maintained park, and a hospital addition. The project also includes relocating a portion of Storrow Drive and replacement of roadway ramps into and out of Charles Circle from Storrow Drive.
- Representing the developer of a 70 MW biomass project in Berlin, New Hampshire. Services include drafting and negotiating the EPC contract.
- Representing Dow Chemical on a multi-billion petrochemical program in Saudi Arabia delivered through multiple-prime EPC contracts. Services include counseling the project team on contract risks and dispute resolution.
- Represented several international petrochemical industry owners on strategies for procurement, contracting and execution of major projects.
- Represented several international independent power producers in risk analysis, drafting EPC contracts, and assisting in the prosecution and defense of claims. Representative projects include facilities in China, Mexico, Nepal, and the United States.

## **PUBLICATIONS**

### **Transportation Research**

“Legal Issues Involving Surety for Public Transportation Projects,” *Legal Research Digest 40* (July 2012), Transit Cooperative Research Program, lead investigator. (Awarded John C. Vance Award, recognizing author(s) of an outstanding paper published by TRB that advances the study, understanding, and implementation of transportation law)

“Competition Requirements of the Design/Build, Construction Manager at Risk, and Public-Private Partnership Contracts – Seven Case Studies,” *Legal Research Digest 39* (January 2012), Transit Cooperative Research Program, co-lead investigator.

“Geotechnical Information Practices in Design-Build Projects,” NCHRP Synthesis 429 (2012), co-consultant.

“Expedited Procurement Procedures for Emergency Construction Services,” NCHRP Synthesis 43-11 (final draft submitted 2012), co-consultant.

“Legal Aspects for Performance-Based Specifications for Highway Construction and Maintenance Contracts,” *Legal Research Digest 61* (July 2013), TRB National Cooperative Highway Research Program, consultant.

### **Major Industry Publications**

*Construction Business Formbook*, Aspen Publishers, Inc., 2003, co-editor.

*Design-Build for the Public Sector*, Aspen Publishers, Inc., 2003, editor.

*Design-Build: Planning Through Development*, McGraw-Hill, 2001, co-author.

*Design-Build Contracting Handbook*, 2nd Edition, Aspen Publishers, Inc., 2001, co-editor.

*Design-Build Lessons Learned*, AEC Training Technologies, annually, 1995 to 2004, author.

*Project Delivery Systems: Evaluating the Owner's Alternatives (CD-ROM)*, A/E/C Training Technologies, 1999, author, producer and developer.

*Design-Build Contracting Guide*, *Design-Build Institute of America*, November 1997, author.

*Construction Management: Law and Practice*, Wiley Law Publications, 1995, co-author.

“Dispute Resolution Processes,” Ch. 24, *Design-Build for Water and Wastewater Projects*, American Water Works Association, 2012.

“The Law,” monthly column in *Civil Engineering Magazine*, American Society of Civil Engineers, 1981 to present, co-author.

“Legal Concerns After a Failure,” Ch. 5, *Forensic Structural Engineering Handbook*, McGraw-Hill, 2000 (rev. 2009), author.

## **SPEAKING ENGAGEMENTS**

Nationally recognized speaker before various state and federal agencies (transportation, defense, corrections), as well as the Design-Build Institute of America (DBIA), Construction Management Association of America (CMAA), International Risk Management Institute (IRMI), and other trade and professional associations on a variety of topics affecting the construction industry. Subjects have included risk allocation and management; innovative project delivery; public sector procurement issues; construction contract administration; contract claims and defense of claims; and alternative dispute resolution.

## **BAR ADMISSIONS**

1979, Virginia

1981, District of Columbia

1990, Maryland

## **PROFESSIONAL MEMBERSHIPS AND ACTIVITIES**

- Design-Build Institute of America: Former Member of Board of Directors (1995-2003); Chairman of Manual of Practice Subcommittee (1997-2001). One of the primary drafters of both the DBIA Design-Build Contracting Guide and DBIA's family of contract documents.
- Virginia Bar Association
- American Arbitration Association's Commercial Panel, Panelist
- American Society of Civil Engineers (ASCE)

**PROFESSIONAL HISTORY**

- Akerman Senterfitt Wickwire Gavin, P.C.: Shareholder (2006-2007)
- Wickwire Gavin, P.C. (1979-2006): Shareholder (1984-2006); President and Chairman (1995-2006)
- GEI Consultants, Inc., a geotechnical engineering consulting firm headquartered in the greater Boston, MA, area (1975-1976)

**EDUCATION**

J.D., Boston University School of Law, 1979

B.S.C.E., *magna cum laude*, Tufts University, Tau Beta Pi, 1976