



# BARBARA R. GADBOIS

Partner

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## PROFESSIONAL EXPERIENCE

Barbara R. Gadbois, is a senior partner at the Gibbs Giden law firm in Los Angeles, with over 35 years of experience in public and private construction law. She concentrates her practice in the development and management of construction projects, including drafting and negotiation of bid and contract documents, procurement issues, public works, competitive bidding requirements, bid protest issues, pre-qualification, project delivery methods, design-build projects, risk allocation in contracts, claims avoidance, and project closeout. She represents municipal clients, private developers, and general contractors in all aspects of major multi-million dollar projects. Barbara's clients value her experience, insight, and practical advice, in design and construction contract negotiation, administration, and dispute resolution. Over the past year, her practice focused on transactional and project administration matters for residential development, hospitals, and school construction as well as dispute resolution in the hospitality sector.

She has published numerous articles and has been a contributing author on a number of books on construction law. Ms. Gadbois has been as an adjunct professor at Loyola Law School, Los Angeles, where she taught legal writing. During her career, she has presented scores of construction law seminars to professional organizations as well as in-house training to her clients.

Ms. Gadbois is a member of the American Bar Association, Forum on Construction Law, the Los Angeles County Bar Association, Real Property Section and Construction Subsection, and is active with the City Attorneys Association of Los Angeles County. She is a LEED® Accredited Professional.

In 2020, Ms. Gadbois was recognized as a leading construction lawyer by the Chambers USA Directory of Leading Lawyers for the thirteenth consecutive year. Ms. Gadbois is AV Preeminent® Peer Review Rated by Martindale-Hubbell®. She was selected for inclusion in the "Southern California Super Lawyers" listing by *Los Angeles Magazine* in 2004, and 2008 through 2022. Ms. Gadbois was included in LABJ's 2021 Women of Influence: Attorney. Ms. Gadbois was included in the list of 2013 *Los Angeles' Women Leaders in the Law* and she is also recognized by *Best Lawyers*®, and in the *Legal 500*, U.S. Real estate and Construction section of their publication.

Raised in Illinois, Barbara graduated from Northwestern University with a B.A. in Psychology before attending the University of California at Los Angeles School of Law where she obtained her Juris Doctor degree.

## PROFESSIONAL MEMBERSHIPS

- ▶ State Bar of California
- ▶ Los Angeles County Bar Association
  - ▶ Real Property Section and Construction Subsection
- ▶ American Bar Association
  - ▶ Public Contract Law and Construction Industry Forum
- ▶ City Attorneys Association of Los Angeles County

## SPEAKING ENGAGEMENTS

- ▶ Speaker, Legislative and Case Law Update for Public Works Construction, California Association of Public Procurement Officials (Jan 2018)
- ▶ Speaker, Public Works Horror Show, State Bar of California 2017 Section Convention (Aug. 2017)
- ▶ Speaker, Introduction to Public Contracting, County Counsel's Association of California (May 2016)
- ▶ Speaker, Unchartered Territory for Charter Cities Complying with Prevailing Wage Requirements after SB 7, CAALAC Monthly Luncheon Meeting (Jan. 2015)
- ▶ Speaker, The Seminar Group, Public Construction Law, (December 2014)
- ▶ Speaker, 97th Annual Conference, California Association of Public Procurement Officials: Construction Contracts – Understanding Prevailing Wage Laws and Key Contract Terms (Jan. 2014)
- ▶ Speaker, American Bar Association Forum on the Construction Industry: The Fundamentals of Construction Law (November 2013)
- ▶ League of California Cities, City Attorneys Spring Conference (May 2012)
- ▶ Speaker, "New Normal" in Labor: Living Wage Ordinances, Project Labor Agreements, and Local Hire Programs, City Attorneys Association of Los Angeles County Spring Retreat (March 2012)
- ▶ Speaker, Public Works Legal Update, California Association of Public Purchasing Officers Inc. (2008-2013)

## PRACTICE AREAS

- ▶ Construction Law
- ▶ Public Contracts
- ▶ Civil Litigation
- ▶ Energy & Environmental Law

## EDUCATION

- ▶ University of California at Los Angeles School of Law (J.D.), Los Angeles, CA, 1985
- ▶ Northwestern University (B.A., Psychology), Evanston, IL, 1982

## BAR ADMISSIONS

- ▶ U.S. District Courts Central, Eastern, Northern and Southern Districts of California, 1986
- ▶ California Bar No. 120302, 1985
- ▶ U.S. Court of Appeals 9th Circuit, 1985

## CERTIFICATIONS

- ▶ LEED Accredited Professional, 2009

## TEACHING

- ▶ Adjunct Professor of Law, Loyola Law School, Legal Drafting (2006)
- ▶ Loyola Law School, Guest Lecturer on Construction Law (2004-2006)

## REPRESENTATIVE CLIENTS

- ▶ Alameda Corridor Transportation Authority
- ▶ City of Glendale
- ▶ City of Palm Springs
- ▶ City of Pasadena/Rose Bowl Operating Company
- ▶ McGuire Builders, Inc.
- ▶ The Ojai Valley Inn & Spa

- ▶ Speaker, American Bar Association Forum on the Construction Industry, TIPS Fidelity and Surety Law Committee and Section of Public Contract Law: Turning a Battleship: Design-Build on Federal and State Construction Projects (Jan. 2010)

## PUBLICATIONS

- ▶ B. Gadbois (Co-Author) California Construction Law, 18th Ed. and 2019 Supplement (Wolters Kluwer Law and Business 2019).
- ▶ B. Gadbois (Co-Author) Chapter 2, "Bidding Private and Public Work," California Construction Law, 18th Ed. and 2019 Supplement (Wolters Kluwer Law and Business 2019).
- ▶ B. Gadbois (Co-Author) Chapter 3, "Construction Contracts," California Construction Law, 18th Ed. and 2019 Supplement (Wolters Kluwer Law and Business 2019).
- ▶ B. Gadbois (Co-Author) Chapter 13, "Prevailing Wage Law," California Construction Law, 18th Ed. and 2019 Supplement (Wolters Kluwer Law and Business 2019).
- ▶ B. Gadbois (Co-Author), *Shake, Rattle, and Roll (PDF)*, "Los Angeles Lawyer," the Magazine of the Los Angeles County Bar Association (April 2018, Vol. 41, No. 2 at p. 16).
- ▶ B. Gadbois (Co- Author), *WARNING to California Contractors – Extended Liability for Prevailing Wage Enforcement Actions; How to Mitigate Your Risk*, "Construction Savvy" (May-June 2014 at p. 15).
- ▶ B. Gadbois (Co-Author), *Key Construction Contract Provisions*, "Construction Savvy" (July-August 2013, at p. 8).
- ▶ B. Gadbois (Co-Author), *Turning a Battleship: Design-Build on Federal Construction Projects*, "The Construction Lawyer," Journal of the American Bar Association Forum on the Construction Industry (Winter 2011, Vol. 31, No. 1 at p. 6).
- ▶ B. Gadbois (Co-Author), Acret's California Public Contract Laws (2012 – 2019 Editions).
- ▶ B. Gadbois (Co-Author), Chapter 2, "Bidding Private and Public Work," California Construction Law, 17th Ed., Gibbs/Hunt, Kenneth C. Gibbs, Author (Wolters Kluwer Law & Business, Aspen Publisher 2011 – 2018).
- ▶ B. Gadbois (Co-Author), Chapter 2, "Drafting Construction Contracts," CEB Construction Contracts, Defects, and Litigation Treatise, Cal. CEB (2010 – 2018).
- ▶ B. Gadbois (Co-Author), *New Caltrans Race Conscious DBE Program (PDF)* CMAA Southern California Chapter Newsletter (Summer 2009).
- ▶ B. Gadbois, Chapter 2, "Public Contract Bidding and Bid Disputes" and Chapter 3, "Contract Drafting," California Construction Law (HLK Global Communications, Inc., 2007).
- ▶ B. Gadbois (Co-Author), *The Abandonment-of-Contract Doctrine in Construction Disputes*, "Los Angeles Lawyer," the Magazine of the Los Angeles County Bar Association (January 2002, Vol. 24, No. 10 at p. 2); Reprinted in "Legal Handbook for Architects, Engineers and Contractors," Albert Dib, Editor (2002).
- ▶ B. Gadbois, *The New AIA General Conditions: An Overview of Key Changes*, California Construction Law Reporter (May 1998, Vol. 8, No. 5 at p. 107).
- ▶ B. Gadbois (Co-Author), *Public Contracts and Competitive Bidding*, "Probate and Property," The Magazine of Real Property, Probate and Trust Law Section, American Bar Association (September/October 1997 at p. 35).

## REPRESENTATIVE MATTERS

- ▶ Ms. Gadbois served as construction counsel to the Rose Bowl Operating Company for planning, administration and close-out of a multiple-year approximated \$168 million renovation and expansion project. Our services include drafting and counseling regarding RFPs, contracts, amendments for consultants; drafting and counseling regarding contracts for construction, bid protests, local business and local hire programs. Counseling and management of contract closeout including response to disputed claims and stop notices, release of escrowed funds Day-to-day assistance with administration of consultant and contractor contracts.
- ▶ The County of Riverside retained Ms. Gadbois to assist county counsel in drafting design and construction contracts for the Public Works and Sheriff's Departments and to draft contract documents relating to an energy savings contract for the Riverside University Medical Center.
- ▶ Ms. Gadbois currently assists the City of Pasadena with requests for proposals, design service agreements, bidding and contract documents, contract administration and closeout for capital improvement projects including: the Glenarm Power Plant, Water and Power Office Building and Warehouse, Police Shooting Range, Fire Station #39, Urgent Care Center and park projects. She is currently assisting the City of Pasadena with a Department of Water and Power claim/litigation arising from a \$12 million project with course of construction issues and project close out claims as well as a project labor agreement for the Glenarm Plant Repowering project.
- ▶ Ms. Gadbois advises general contractors on issues relating to prequalification, bid mistakes, bid protests, outreach programs, subcontractor listing, subcontractor substitution hearings, and project close out requirements on various public works projects including projects at the John Wayne Airport in Orange County, the Adelanto Detention Center in San Bernardino County and the Bob Hope Airport in Burbank, California.
- ▶ The City of Riverside retained Ms. Gadbois to assist the City attorneys' office in drafting a design-build ordinance and proposal documents for a library project. She is currently assisting the City of Riverside with ongoing bid and contract issues and providing option analysis for a \$200M water treatment facility expansion project.
- ▶ The City of Glendale retained Ms. Gadbois to draft a design-build contract for a public parking structure funded by the Federal Emergency Management Administration. She assisted with evaluation and drafting of change orders and project close out. Ms. Gadbois has also drafted a design-build contract for use by the City's Parks and Recreation Department. Ms. Gadbois assists the City on an ongoing basis with updates to bid documents, bid protests and course of construction issues.
- ▶ Ms. Gadbois has served Crescent Heights® Acquisitions, a high-rise residential and commercial developer, with drafting design and construction documents, assistance with project administration, change order drafting and negotiation and project closeout. Representative projects for Crescent Heights include: \$70 million Regatta Seaside Condominiums, Marina del Rey, California; \$55 million Remington Condominiums,

Los Angeles, California; \$50 million Mayfair Condominiums, Atlanta, Georgia; \$90 million Metropolitan Condominiums, San Francisco, California; \$139 million Ko'olani Condominiums, Honolulu, Hawaii; and \$172M Tenth & Market Apartments, San Francisco.

- ▶ The Ojai Valley Inn & Spa retained Ms. Gadbois to draft contract documents for construction of \$50 million renovations and expansion project. Ms. Gadbois and her team assisted the Inn in resolving course of construction and project closeout disputes.
- ▶ As part of a team of prestigious law firms, Ms. Gadbois and her firm served as construction counsel to the Alameda Corridor Transportation Authority. Ms. Gadbois has drafted bidding and contract documents, a Disadvantaged Business Enterprise Program, a Job Training Program and bid protest procedures. She provides regular consultation on issues involving bidding, contract interpretation, contract compliance, change orders, stop notice claims, and prevailing wage compliance.
- ▶ Ms. Gadbois assisted the Burbank City Attorney in review of the city charter, code and ordinances to authorize design-build procurement for an electrical switching station. Thereafter she worked with city engineers and contract managers to draft the request for qualifications and contract documents. She assisted the City in all aspects of the solicitation, evaluation and selection process and finalized the contract and related documents.
- ▶ Ms. Gadbois has drafted contract documents for design, construction management, designbuild and construction of various campus expansion and renovation projects for Green Dot Public Schools, Loyola Marymount University, Santa Clara University and Chaffey Joint Union High School District.

## HONORS AND AWARDS

- ▶ AV® Preeminent Peer Review Rated by Martindale-Hubbell (highest rating)
- ▶ Chambers USA Leading Individual, California Construction, 2007-2021
- ▶ The US Legal 500, Recommended Lawyer, United States, 2009-2014, 2019, 2021
- ▶ Southern California Super Lawyers, 2004, 2008-2022
- ▶ Recognized in The Best Lawyers in America® "Women In Law" 2021
- ▶ Recognized in the Los Angeles Business Journal "Women of Influence: Attorneys" 2021
- ▶ Recognized in The Best Lawyers in America®