

### Sheppard Mullin Partner Emily Anderson Testifies in Support of Progressive Design-Build in New York

12.14.2023

Sheppard Mullin New York partner Emily Anderson today testified before the New York State Assembly Standing Committee on Cities and Standing Committee on Local Governments on behalf of the Liberty Region Design Build Institute of America (“DBIA”) in support of the modification of municipal procurement policies to permit the use of qualifications-based progressive design-build to deliver construction projects. Anderson is chair of the Law & Legislation committee for the NYC Metro Chapter of the DBIA.

Based on DBIA member organizations’ experience working with New York City agencies on design-build construction projects, the DBIA believes that the city needs more flexibility with its procurement authority in order to attract high quality bidders. The current process requiring city agencies to work with multiple, short-listed teams on preliminary design build to identify the lowest bidder promotes inefficiencies and higher costs. Permitting municipalities the flexibility to work with only one design-build team during this preliminary design phase with a progression to a design and contract price would simplify the procurement process and benefit all involved while still maintaining transparency.

“The use of progressive design build by federal, state and local governments throughout the country is widespread,” Anderson said. “Many of our DBIA member organizations throughout the state are already working on progressive design build projects elsewhere and recognize the substantial benefits to the project cost and schedule. New York municipalities should have the option to utilize this proven construction delivery method as well.”

Anderson is a partner in Sheppard Mullin’s Business Trial practice and Construction industry team. She has experience representing contractors, construction managers, design-builders and developers in all aspects of construction law with an emphasis on contract dispute resolution before arbitration panels and in state and federal court. Anderson has also participated in many mediations, and regularly drafts construction contracts and agreements for owners and contractors.

#### **About Sheppard Mullin’s Construction Industry Team**

With attorneys that span coast-to-coast, Sheppard Mullin’s Construction team represents owners, developers, contractors, subcontractors, design professionals, governmental agencies, REITs, lenders and sureties in a broad range of domestic and international construction law matters relating to public and private projects. We offer a one-stop shop, advising clients from project inception to conclusion. Whether negotiating contracts or prosecuting and defending high-stakes disputes, we partner with our clients to realize their project goals. Unlike many firms, we have maintained construction as a core practice with a large team of attorneys dedicated to meeting the global needs of our clients. We are proud to have assisted our clients with projects that range from the first major investment of a growing business to some of the largest and most sophisticated projects in the

world.

## **About Sheppard, Mullin, Richter & Hampton LLP**

Sheppard Mullin is a full-service AmLaw 50 firm with more than 1,000 attorneys in 16 offices located in the United States, Europe and Asia. Since 1927, industry-leading companies have turned to Sheppard Mullin to handle corporate and technology matters, high-stakes litigation and complex financial transactions. In the U.S., the firm's clients include nearly half of the Fortune 100. For more information, please visit [www.sheppardmullin.com](http://www.sheppardmullin.com).

## **Attorneys**

Emily D. Anderson

## **Practice Areas**

Construction

Litigation