

Agenda Item:	III E: Action Item
Date:	July 13, 2023
To:	Magnolia Educational & Research Foundation dba Magnolia Public Schools (“ <b>MPS</b> ”) Board of Directors (the “ <b>Board</b> ”)
From:	Alfredo Rubalcava, CEO & Superintendent
Staff Lead(s):	Patrick Ontiveros, General Counsel & Director of Facilities
RE:	Approval of Tao Rossini, APC, as a Legal Vendor to MPS

1. **Action Proposed:**

Staff recommends and moves that the Board approve the law firm of Tao Rossini, APC, as a vendor to provide services to MPS and its schools as the need may arise.

2. **Purpose:**

The purpose of this action is to provide MPS with access to the best and most relevant legal resources, including legal vendors with expertise in different areas of the law. MPS is endeavoring to use its Charter School Facilities Program award for the MSA-5 7111 Winnetka Ave project. The requirements of the award are complex and therefore MPS requires expertise in this specific area of the law.

3. **Background:**

MPS and its schools work with several legal services providers. The principals of Tao Rossini, APC, including Terry Tao and Hugh Lee have extensive experience working with school districts including on construction projects funded with public dollars. Staff believes it would be in the best interests of MPS and its schools to have a law firm with such a focus to turn to when the need shall arise. Information about Tao Rossini, APC, including its principals, is attached as Exhibit A.

4. **Analysis & Impact:**

MPS staff believes that MPS will benefit from having legal vendors with experience with public funded projects.

5. **Budget Implications:**

The MPS Home Office and each of its schools has established a legal budget for matters that may arise. The 2023-24 Adopted Budget includes expenses for legal fees, which staff believes to be sufficient in covering the costs for this agreement.

6. **Exhibits:**

Exhibit A Information on Tao Rossini APC

*EXHIBIT A*

*See Following Pages*

# Services | Tao | Rossini APC

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 [taorossini.com/services](http://taorossini.com/services)

## Our Practice Areas

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Tao Rossini focuses its practice on school and other public facilities, from the planning, funding, and design stages all the way through construction and project closeout. The firm's senior partners, each have over 20 years' experience advising and representing owners and contractors in regard to preparing construction and design contracts, preparing bid documents, bid protests, construction and facilities related litigation and alternative dispute resolution, and other matters related to public facilities and public works construction projects.

We successfully help our clients navigate the complexities of resolving legal issues including:

### Planning & Funding Public Works Projects

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Our lawyers have assisted dozens of public entities in planning and funding public works projects, ensuring compliance with such statutes as the California Environmental Quality Act, Field Act, and Leroy F. Greene School Facilities Act.

### Facilities Contracts & Business Advice

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Tao Rossini's attorneys are expert at helping public entities address their business challenges. We have years of experience in preparing innovative lease, joint occupancy, and construction services contracts, among other agreements, to meet our clients' needs.

### Construction Litigation

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While we try to help our clients resolve disputes out of court, we are zealous about protecting our clients' interests. Our attorneys are skilled litigators with years of experience arbitrating and litigating disputes arising from claims of delay, unforeseen site conditions, defective plans, and extra work.

### Termination of Contractors

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Although contractor termination is a difficult choice to make, when necessary, we know how to effectively terminate contractors, minimizing our clients' potential liabilities and maximizing their opportunities to pursue damages.

### False Claims

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We have experience prosecuting California False Claims Act actions on behalf of public entities, obtaining substantial recoveries from bad faith actors and handling qui tam actions. When a qui tam action is frivolous, we know how to get it dismissed early before it has a disruptive impact.

## **Public Works Bidding and Bid Protests**

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Our attorneys have advised over 100 public entities in complying with the contract letting requirements in the Public Contract Code and resolving bid protests, including acting as hearing officers in bid protests when necessary.

## **Stop Notice, Bond, and Lien Claims**

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Our attorneys know how to handle stop notice, bond, and lien claims, and prevent contractors from dragging public entities into their disputes. By assertively engaging with the interested parties early on, we can limit the impact disputes between contractors and their subcontractors have on our clients' projects.

## **Payment Disputes**

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Disputes between public entities and project contractors come in many different forms. All our partners have decades of experience representing public entities in payment disputes. We know how to respond to the myriad challenges that can arise, protecting the interests of our clients and preventing disputes from derailing their projects.

# Rossini APC – A law firm focused on representing school districts in facilities services, from planning and funding, through bidding and final completion, and resolving disputes.

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 [taorossini.com](http://taorossini.com)

## Tao | Rossini APC

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### Our Focus is on Your Facilities

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Put our decades of public works construction law experience to work for you.

[LEARN ABOUT OUR SERVICES](#)



### Our Services

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We recognize construction problems, their genesis and how to resolve the disputes. We have experience with the Division of State Architect, Office of Public School Construction, State Allocation Board, and many other local and state government agencies.

[Learn More](#)

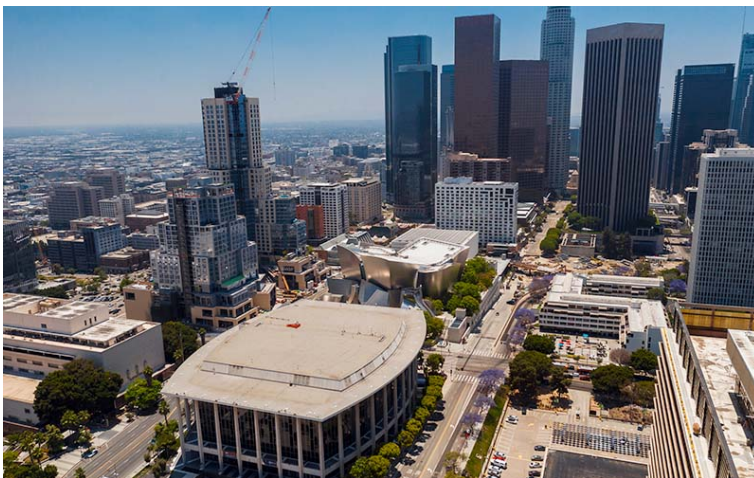


## **Our Team**

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Our senior partners each have over 20 years' experience focusing on all aspects of facilities and construction for school districts and other public entities, public works contractors, and design professionals.

[Learn More](#)



## **We Serve Southern California**

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We have worked with many of the school districts in Southern California in all aspects of construction, business, State funding, and advocacy. Industries: Construction, Public Works, Educational Agencies, Public Agencies, State Funding, and Environmental.

# Terry Tao | Tao | Rossini APC

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 [taorossini.com/team/terry-tao](http://taorossini.com/team/terry-tao)

## Terry Tao

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**Contact:** 714.761.3007

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Terry Tao is a senior partner/shareholder of Tao Rossini, APC. Because Mr. Tao is a licensed California architect, he brings a unique and useful skill set to his legal practice. In addition to his legal skills, he has the ability to analyze plans and specifications and apply legal principles to determine the likely result of disputes over their interpretation and to guide those disputes to efficient conclusions.

Mr. Tao practices primarily in the areas of school and public works construction law, architectural malpractice, construction contract administration, ADA physical barrier claims, land use, environmental law, and related matters. He handles construction litigation, advises clients in drafting contracts and agreements, and assists in general facilities matters. He has represented school districts, cities, other public entities, and business and property owners, including Los Angeles World Airports, the City of West Hollywood, and the University of California.

Mr. Tao has handled and tried numerous facilities cases for schools, county offices and other public entities. Terry's approach is to resolve disputes outside of court when possible, based on the actual issues in question as well as long-term issues. On rare occasions when it is not possible to resolve the dispute, Mr. Tao has the experience to take matters to trial or arbitration. The opposing party may realize it will ultimately lose its case and become more amenable to resolving disputes at favorable terms for Mr. Tao's clients.

## Education

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Mr. Tao received his Bachelor of Arts in Architecture from the University of California, Berkeley, in 1985. He received his Juris Doctor from Loyola Law School, Los Angeles in 1991.

## Honors & Recognitions

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Mr. Tao has been named to Best Lawyers' annual "Best Lawyers in America" in Government Contracts every year since 2016.

## Community & Professional

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American Bar Association, Member  
American Institute of Architects, Member  
Los Angeles County Bar Association, Member  
Orange County Bar Association, Member



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### **Practice Areas**

- Construction Claims & Litigation
- Construction—School Facilities
- Environmental
- Facilities, Construction, Real Estate & Business Litigation
- Real Property

TERRY T. TAO

2022

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TAO ROSSINI, APC

2020

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# Hugh Lee | Tao | Rossini APC

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 [taorossini.com/team/hugh-lee](http://taorossini.com/team/hugh-lee)

## Hugh Lee

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Hugh Lee is a senior partner/shareholder of Tao Rossini, APC. Mr. Lee's practice is primarily focused on representing and advising various public agencies such as school districts, community college districts, county offices of education, charter schools, non-profit organizations, cities, and water districts in all aspects of public works construction law. This includes handling construction claims, disputes and litigation, construction contract administration, procurement, bidding and bid disputes, labor issues, and architectural malpractice.

Mr. Lee represents and advises clients in handling large multi-million dollar construction bond programs and projects. Mr. Lee advises clients in drafting all essential construction-related documents, including contracts with architects, construction/project managers, program managers, inspectors, and other consultants, as well as developing and preparing front-end documents and general conditions for various construction delivery methods.

Mr. Lee also represents developers, contractors, and subcontractors on construction matters, including claims, payment disputes, bond claims, and general construction matters for both public and private works projects. Prior to becoming an attorney, Mr. Lee practiced as an architect working for various architectural design firms.

## Education

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Mr. Lee received his Bachelor of Design from the University of Florida in 1988. He received his Master of Architecture degree from the University of California, Los Angeles in 1993, and his Juris Doctor from the Southwestern University School of Law in 1997.



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**Practice Areas**

- Construction- School Facilities
- Facilities, Construction, & Business
- Construction Claims & Litigation
- Purchasing & Procurement
- Bidding & Bid Protests
- Real Property