



WILLIAM ELIOPOULOS

Partner

Litigation and Trial

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Bill Eliopoulos has over 25 years of experience as a trial lawyer handling commercial litigation. He has successfully tried a wide variety of complex cases including jury and judge trials. He is a partner in Rutan & Tucker's Litigation and Trial Section, Chair of its Infrastructure/Public-Private Partnerships (P3) Practice Group, and Co-Chair of its Construction Law Practice Group.

Bill has extensive experience in preparing, handling and defending construction and real estate claims. He also has assisted clients in drafting and negotiating a wide array of complex construction contracts involving delivery methods including design-bid-build, design-build, CM At-Risk, integrated project delivery, lean construction, green/LEED building, and creative financing models such as Public-Private Partnerships. His experience covers virtually all types of construction projects, from large infrastructure, dams, bridges, transit and roadways, to commercial, industrial and public buildings, hotels, data centers, laboratories, education, airports, health care and power facilities. His work on power facilities includes drafting and negotiating contracts for development, design and construction of solar and wind power generation plants.

Client Testimonial

"Thank you again for your absolutely brilliant work." Sent by email from a utility client CEO after successful resolution of \$35 million construction lawsuit.

"I would like to take the opportunity to thank you and your team for all of your hard work in supporting our company in this difficult situation. I appreciate you very much and value your opinion and expertise, more than words can say. When the going gets tough, I only want the best and brightest representing us and that is you and the Rutan & Tucker team. If we have to go to battle, I'm going in with your team and this expert witness as my first choice. As our company continues to grow

Related Services

- Litigation and Trial
- Construction
- Infrastructure, Public-Private Partnerships (P3)

Related Industries

- Builders and Land Developers
- Construction
- Infrastructure/Public-Private Partnerships (P3)

Bar & Court Admissions

- State Bar of California

Education

- University of California, Davis, School of Law (J.D., 1981), Editor of Law Review; Hopkins Award Winner
- University of California, Davis (A.B., 1977), with

and prosper we will occasionally encounter situations such as this project that we need to deal with, it's nice to know we have strong support." *Sent by email from longstanding client.*

honors

Mr. Eliopoulos has trial experience in state and federal courts, arbitration and mediation. He has litigated claims arising from private works, as well as federal, state and local public works projects. His construction litigation experience includes the representation of contractors and developers in connection with claims of all facets, including delay and disruption, change orders, the False Claims Act, contract termination, construction defect, bid protest, and mechanic's lien. Mr. Eliopoulos formerly was an Instructor of Construction Law at the University of California, Berkeley, Extension Program.

Areas of Focus

- Commercial Litigation
- Construction Law
- Construction and Real Estate Litigation

Representative Clients

Rosendin Electric Inc.; Clark Construction; Webcor Builders; Stacy and Witbeck Inc.; Rudolph and Sletten, Inc.; Critchfield Mechanical, Inc.; California High-Speed Rail Authority; Sundt Construction; Redwood Electric Group; Plant Construction Company; Cupertino Electric; David and Lucille Packard Foundation.

Representative Litigation Matters

- Lead defense counsel for utility company owner in Eastern District Federal Court against multi-million dollar claims by prime contractor involving underground engineering contract.
- Co-counsel prosecuting claims for fraud, breach of contract in Puerto Rico solar power development deal.
- Defense counsel for ENR Top 50 prime contractor against multimillion dollar False Claims Act claims by public entity arising out of S.F. International Airport construction project.
- Prosecuted multimillion dollar delay, disruption and extra work claims for trade contractor against Stanford University concerning hospital construction project.
- Defense counsel for ENR Top 100 prime contractor adverse to multiple trade contractors' multimillion dollar delay and disruption claims arising from Kaiser Hospital construction projects.
- Prosecuted multimillion dollar delay, disruption and extra work claims for ENR Top 25 trade contractor against prime contractor and United States Department of Energy regarding Los Alamos Nuclear Laboratories construction project.
- Prosecuted multimillion dollar claim by project owner against prime contractor and surety arising from terminated condominium construction project in Oakland, California.

Representative Transactional Matters

- Negotiated and drafted contracts representing design-builder for the UC Merced 2020 P3, a \$1.3 billion design build finance operate maintain project.
- Negotiated and drafted contracts representing design-builder for the Long Beach Civic Center P3, a \$500 million design build finance operate maintain project.
- Contract administration for the California High-Speed Rail Authority for all segments of the planned 800-mile, over \$60 billion high speed train system (ongoing).
- City of Napa Civic Center P3. Ongoing representation of design-builder on City of Napa's public safety and civic center administration building master development P3 in connection with negotiation of risk allocation and contract drafting. From the teaming agreement stage forward, has provided legal advice and contract drafting pertaining to key project documents.
- California power development P3. Ongoing representation of private developer of a Southern California design-build-finance-operate-maintain power development P3, including ongoing legal counsel relating to deal structure, risk allocation, and contract drafting.
- California water treatment plant P3. Ongoing representation of Central California Sanitary District in connection with procurement of a water treatment plant. Ongoing participation in negotiation as to deal structure, risk allocation, and contract terms. From the teaming agreement stage forward, has provided legal advice and contract drafting pertaining to finance, design, build, operations and maintenance.
- California harbor development P3. Ongoing representation of private developer on a Southern California P3 design-build-finance-operate-maintain harbor master development P3 in connection with negotiation of deal structure, risk allocation, and contract drafting. From the teaming agreement stage forward, has provided legal advice and contract drafting.
- Negotiated and drafted \$1.3 billion Public-Private-Partnership financed design-build agreements for construction of metro light rail project in Texas.

Speaking Engagements

Mr. Eliopoulos is a frequent speaker on such topics, including Public-Private-Partnerships and other Design-Build innovations. Videos from recent symposiums are available at the hyperlinks below:

- Video of 2019 US P3 & Design-Build Market Updates
- Video of P3 Developments and Outlook: 2017
- Video of the Public-Private Partnerships: 2016 and Beyond
- Video of Public-Private Partnerships: 2015 and Beyond
- Video of P3 Developments 2014
- Part 1 of the Future of P3 in the US 2013 and Part 2 of the Future of P3 in the US 2013
- Videos of the Design Build Symposium 2012

Publications

- Public-Private Partnerships: Bridging California's Infrastructure Gap, Real Property Law Reporter, CEB, March 2015
- Public-Private Partnerships: Design-Build Revolution or Evolution?, DBIA Newsletter, November 2014
- Public-Private Partnerships: A New Tool for California's Infrastructure Needs, California Real Property Journal, Volume 31, Number 1 (May 2013)
- The Need For P3 – Public Private Partnerships Can Help Bridge America's Infrastructure Gap, DBIA Newsletter, Spring 2013

Presentations

- "The Long Beach Civic Center P3 Project: A Trail Blazing Master Development Project from Financing to Performance Guarantees" P3C – The Public-Private Partnership Alliance Conference, Dallas, February 2017
- "Master Development P3s: A View to the Future" P3C – The Public-Private Partnership Alliance Conference, Dallas, February 2016
- "P3: Bridging America's Infrastructure Gap," State Bar of California, Real Property Section, May 2014
- "P3: Revolution or Evolution?" P3C – The Public-Private Partnership Alliance Conference, Dallas, February 2014
- "P3: Bridging America's Infrastructure Gap," P3C – The Public-Private Partnership Alliance Conference, Dallas, February 2013

Awards & Honors

- 2018-2023 USA Chambers and Partners Leader in his field – Construction



- Northern California "Super Lawyer" Corporate Counsel Edition, 2010
- Northern California "Super Lawyer" 2010-2020
- Northern California "Super Lawyer" Business Edition, 2012
- AV® Preeminent™ rating with LexisNexis/Martindale Hubbell

Memberships & Associations

- Member, Design-Build Institute of America
- American Bar Association (Litigation Section; Forum on the Construction Industry)
- State Bar of California (Sections on Litigation and Real Property Law)

- Santa Clara County Bar Association
- Member, Legislative & Legal Committee, Design-Build Institute of America