



Business



What's it like to work with F3?

F3 attorneys are known throughout the California education community for our breadth of education knowledge and experience. But more than that, we're known as the lawyers you want to call – any time – because our level of empathy, responsiveness, and thoughtfulness is especially suited to the business of education.

What can F3 solve for you?

Managing schools and colleges is a serious and complex business. Safe, modern facilities – properly funded, managed, and operated every day – provide the foundation for teaching and learning. Schools and colleges also create fundamental rights and obligations through the legal and financial instruments they execute. As a full-service law firm devoted to excellence in education, F3 helps ensure your foundation is firm.

While schools and colleges are unique businesses with the primary purpose of educating students, they nevertheless have employees, budgets, real estate and facilities, governance, the need for efficient operation, contracts, and a wide array of legal obligations. F3, a recognized leader in public school district and higher education operations, creates strong working relationships and open communication with clients across the full range of procurement, business, finance, and facilities matters. We want to help you see past the stress by focusing on your options, which we present clearly. We're as passionate about education as you are, so we dig in deep to help you stay focused on your mission – and passion: educating students. From ensuring compliance with the California Education Code, Public Contract Code, Government Code and Labor Code, and related regulations as well as district-specific environmental initiatives, long-term planning and infrastructure projects, and daily facility operations, we've got you covered.

Consider what it takes to operate schools and colleges efficiently and successfully. Compliance with federal, and California law, and policies regarding financing, procurement, employment, and environmental issues alone is sufficiently daunting to require the support of experienced counsel. Add the endless contracts for every type of good and service which must be tailored not only to what the law requires but also to each entity's unique



objectives and requirements. Complex technology acquisition and implementation present special challenges. Federal funding programs such as eRate, and the Elementary and Secondary School Emergency Relief (ESSER) require the attention of counsel who understands and can simply communicate how state and federal procurement requirements are jointly structured. Always guided by your goals, we're here to get it done and done right. In other words, there's a good reason why over half of all California school districts and colleges turn to F3.

The complexities of procurement

Procuring goods and services can be a complex process. F3 attorneys advise clients on every type and aspect of procurement from contracting architectural services when beginning a construction project to procuring operational supplies for a district's schools, including technology-related services and products. The California Education Code, Government Code, and the Public Contract Code contain provisions regarding competitive bidding – the requirements and the exceptions – which are best understood by counsel who have advised hundreds of districts on procurement. We've helped districts with procurement strategies such as utilizing the California Multiple Award Schedules (CMAS), forming or using a Joint Powers Authority (JPA), piggy-backing, cooperative procurement, standardizing, and other approaches. And we can help identify reliable vendors, too, based on our shared experience throughout the firm. Rural districts, for example, may have more difficulty finding goods and services, so we often help them find what they need when a low bid may not work. So, while we have learned much from extensive experience and never have to “reinvent the wheel,” there are simply no cookie-cutter approaches to procurement; the foundation of F3's counsel is a deep understanding of every client's unique needs.

Finding the funding

Where will the funding come from for your district's next project? When it comes to advising on the available financing tools, our decades of experience have taught us how to help you get the project done. For large capital projects, local bond funds, developer fees, parcel taxes, or the Mello-Roos taxes may be appropriate vehicles. For technology procurement, there are various federal programs available to help with funding. As with procuring goods and services, the means of structuring funding and advising on the ongoing use and maintenance of these funds depends on many variables. Our job is to make your job easier as you plan your district's future and begin to make it happen.



F3 is known for these strengths

Advising on financing

Every project is different, and we're here to help you get it done. Whether it's a large infrastructure or other construction project or a technology implementation project, various funding options may be available, from bond issuances to justification and collection of developer fees, Mello Roos taxes, grant funding, and various types of federal or state funding. We've worked with them all.

Reviewing and drafting procurement contracts

We assist with procurement of goods and services, consultant and independent contractor services, construction materials, technology, and everything else schools need to function. From drafting bid packets and requests for proposals to independent contractor agreements to everything in between, we are experienced in structuring these written agreements for the district's best practical benefit.

Creating collaborative agreements with academic and private partners

Schools and colleges collaborate with other academic institutions and private entities to create cutting-edge academic programs, products, and research that benefit academic programs and students. We help generate MOU's, letters of intent, affiliation agreements, and other legal instruments to protect the institution and help move projects forward to completion.

Ensuring appropriate contracting authority

We help schools and colleges avoid costly mistakes and conflicts by ensuring contracting authority is correctly delegated and the appropriate contracting methods and procedures are used.

Advising on vendor relationships

We know the vendor community well. Many work exclusively with school districts, and our firm's statewide interconnectivity and our attorneys' collective – and shared – experience can be invaluable in ensuring the right vendor is selected.

Guiding through the bidding process

Often competitive bidding is required by law, but there is a labyrinth of exceptions. F3 attorneys are well-versed in the competitive bidding rules, the exceptions, and required processes and documentation.

Helping with RFPs

Requests for proposal (RFPs) are standard procedure when soliciting pricing on certain types of services. Drafting RFPs carefully and correctly helps ensure the school receives the information it needs to select a vendor.

Considering schools' special requirements

School districts often require special timelines on contracts because of their schedules, and special security considerations may be needed because students may be present in schools during contracting work. We ensure that contracts are drafted in a way that allows the district flexibility where necessary and fit with the operation of a school business office.

Helping with the technology purchasing and implementation

Today, a key element of procurement is technology consulting, equipment, software, and internet access and subscriptions. There are unique technology funding sources and related student data privacy concerns. It may seem bewildering, but we know how to find the right solutions for every school and college's unique needs.

Implementing sustainable energy and other environmental initiatives

With our reputation as a leader in the area of sustainability, we have been at the forefront of advising and assisting schools and colleges in practices that are responsible both fiscally and environmentally, including funding, permitting, acquisition, and installation of solar power systems, compressed natural gas (CNG) facilities and electric vehicle stations and much more. Our team of attorneys has been involved with solar facilities from preparing initial power purchase agreements all the way through submission of solar panel warranty processing.

Resolving disputes

When disputes occur, F3 attorneys are experienced negotiators, arriving at favorable settlements at the negotiating table or shepherding a matter through mediation or arbitration when possible, but skillfully pursuing your case in state or federal court and on appeal if necessary.

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- Facilities & Construction
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