

Kaveh Badiei
RALLS GRUBER & NIECE LLP
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Kaveh Badiei is an experienced construction attorney with a background in both civil engineering and construction management. He is well versed in all aspects of construction litigation, arbitration, and mediation as well as contract drafting, review and negotiation, bonds, mechanic's liens, false claims, defective construction, and insurance coverage. He has substantial experience advising owners, developers, general contractors and subcontractors on public and private construction projects involving commercial buildings, schools, hospitals, hotels, theaters, wind-energy facilities, nuclear and research laboratories, transportation centers, fiber-optic lines, pipelines, waste-water treatment plants, and high-end homes. His practice also includes advising owners and contractors in public-private partnership projects. Prior to joining Ralls Gruber & Niece LLP, Kaveh worked at Rutan & Tucker LLP for ten years, and at Thelen LLP for six years. Kaveh was recognized by Northern California Super Lawyers as a "Rising Star" in 2011, 2012, 2013, 2014 and 2015, and is a Fellow at The Construction Lawyers Society of America.

REPRESENTATIVE RECENT MATTERS

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REPRESENTATIVE RECENT MATTERS

- Transactional:
 - Draft, review and negotiate numerous general contracts, EPC agreements, subcontracts, joint-venture agreements, and design-build contracts for commercial or residential projects.
 - Counsel and advise public agencies and private companies on preparing and responding to requests for proposal, and contract negotiations for design-build or public-private partnership projects.
- Dispute Resolution on Select Projects:
 - *Underground utility:* Represented the utility owner in a multi-million dollar claim by the general contractor on the installation of nearly 1,900 miles of underground fiber optics lines.
 - *BART Extension:* Represent the general contractor in a dispute with one of its subcontractors.
 - *Hospital:* Represent a hospital operator in a delayed and deficient construction of new hospital.
 - *San Francisco Transbay Terminal:* Represent various subcontractors in their contractual disputes arising from their work.
 - *Historic Building:* Trial counsel for the owner of a historic building in an action involving property damage caused by the construction of the neighboring high-rise building; the jury returned a multi-million dollars verdict in favor of a historic-building owner.
 - *Waste Water Treatment Plant:* Trial counsel for a subcontractor on a waste water treatment plant in a California False Claims Act action, which resulted in a 12-0 jury verdict in favor of the subcontractor and recovery all of the subcontractor's attorneys' fees.
 - *Solar Energy:* Arbitrated a general contractor's claim against the owner on a dispute involving the construction of a solar energy facility.
 - *Research Laboratory:* Favorably resolved a subcontractor's pass-through claims for delay, disruption and cost overruns against a general contractor and Department of Energy/National Nuclear Security Administration.
 - *Hotel:* Defended a construction lender in a mechanic's lien action brought by over twenty lien claimants, involving over \$10 million in lien claims.
 - *Underground Utility:* Prosecuted a general contractor's claim for improper termination, delay and disruption against a public entity in a project involving underground water pipe installation.
 - *Residential Development:* Represented a developer in a defective-construction claim brought by over 1,000 homeowners.

EDUCATION

University of California, Hastings College of the Law
Juris Doctor, 2001

University of California, Irvine
Bachelor of Science, Civil Engineering, 1997

PUBLICATIONS

- Presenter at a roundtable discussion entitled “*Developing Your P3 Checklist*” delivered at *The P3 Federal Conference* (Washington D.C., November 2018)
- Update Author, California Construction Contracts, Defects, and Litigation, November 2014, 2015, 2016, 2017 and 2018 updates (CEB Publications), for chapters entitled “*Design-Build*” and “*Handling Disputes During Construction.*”
- Co-Author, *Public-Private Partnerships: A New Tool For California's Infrastructure Needs*, California Real Property Journal, Volume 31, Number 1 (May 2013).
- Co-Author, *The Need For P3 - Public Private Partnerships Can Help Bridge America's Infrastructure Gap*, DBIA Newsletter, Spring 2013.
- Author, *Geothermal Energy: Is It Attractive Enough to Draw Investors for Construction of Geothermal Electric Plants*, 7 Hastings W.-NW. J. Envtl. L. & Pol'y 109 (2001).

MEMBERSHIPS

- Fellow: The Construction Lawyers Society of America
- Member: Design-Build Institute of America (Planning Committee member)
- Member: ABA Forum on Construction Industry
- Past President: Northern California Chapter of the Iranian-American Bar Association
- Appointed Member: General Plan Advisory Committee for the City of San Carlos (2008-2009)