



## Tamara Lindsay

Associate

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**Tamara Lindsay consults and advises commercial and industrial clients on a full spectrum of construction-related issues, from contract negotiation through dispute resolution.**

### EDUCATION

University of Tennessee College of Law,  
J.D., 2008

Certificate of Academic Excellence in  
Alternative Dispute Resolution

Spring Hill College, B.A., 2004  
*magna cum laude*

### BAR ADMISSIONS

Temporarily authorized to practice in  
Colorado pending admission under  
C.R.C.P. 205.6.

Louisiana  
Tennessee

### COURT ADMISSIONS

U.S. District Court for Colorado  
U.S. Court of Appeals for the Fifth Circuit  
U.S. District Courts for the Districts of  
Louisiana

### PRACTICES

Construction  
Projects  
Government  
Government Contracts  
Linear Infrastructure  
Project Contracts  
Real Estate Development and Finance

Companies value Tamara, in part, because she delivers candid project and business assessments that take into account a variety of competing interests, including political considerations. She regularly counsels clients on contract planning and administration with a focus on risk avoidance/mitigation, but Tamara also has the experience and willingness to fully litigate a dispute, if necessary. Her broad range of experience includes casinos, water treatment facilities, chemical and manufacturing facilities, hydropower facilities, airports, pipelines, rail systems, hospitals, schools and multi-family developments. She is a frequent author and speaker on emerging issues in the construction industry.

Prior to joining Holland & Hart, Tamara practiced construction law in New Orleans, Louisiana. She also previously worked for the Department of Defense training Marines for mental and physical combat readiness.

Tamara remains admitted to practice in Louisiana and Tennessee and is temporarily authorized to practice in Colorado pending admission under C.R.C.P. 205.6.

### EXPERIENCE

#### Real Estate and Construction

Tamara assists owners, developers, general contractors, and subcontractors in commercial real estate and construction transactions, including:

- Drafting and negotiating construction contracts, including EPC, construction manager as agent, construction manager at risk, design-build, and design-bid-build
- Composing joint venture and mentor/protégé agreements
- Drafting and negotiating franchise agreements and leases
- Defending and prosecuting public bid protests
- Leading mediations to satisfactory resolutions
- Conducting and defending fact, expert, and corporate depositions
- Delivering direct and cross examinations of witnesses
- Advising public owners concerning requests for qualifications, project delivery methods, and bidding regulations.

- Advising project owners and developers concerning claims and close out processes.

## CLIENT RESULTS

Advised international wastewater treatment contractor concerning claims related to a government project in Alaska.

Advanced bid protest efforts related to government contracts in Hawaii.

Prosecuted claims on behalf of EPC contractor related to hydropower facility in Pacific Northwest.

Assisted owner in close out process and claims resolution for East Coast casino.

Obtained entry of summary judgment in favor of subcontractor on federal hospital project.

Successfully defended school district against bid dispute related to construction of new facilities.

Effectively prosecuted bid protest on behalf of joint venture related to new airport construction.

Secured long-term franchise agreement for international telecommunications provider.

Advocated for international EPC firm before engineer licensing board.

Negotiated lease termination agreement for lucrative French Quarter property.

Negotiated positive settlement in favor of contractor on federal hospital project.

Lead defense of multi-party litigation in federal court concerning violations of Fair Labor Standards Act.

Successfully lead mediation concerning multi-family construction in favor of general contractor.

Drafted and negotiated construction manager as agent agreement for large-scale resort.

Successfully pursued money judgment on behalf of contractor related to levee work for Army Corps of Engineers.

Assist international banking institution on issues related to priority of rights in expansive ranching property.

## PUBLICATIONS

"Exactly How Far will the FAR get you?," *Division 13 of the ABA, Forum on*

*Construction Law*, March 2017

"Let's Start with the Basics: Introducing the Construction Law Corner," Co-author, *Colorado Construction & Design*, Co-Author, Winter/Spring 2017

"How Do We Get the War Stories if We're Never Allowed to Go to Battle?," Co-author, *ABA Forum on Construction Law Under Construction newsletter*, Vol. 18, No. 2, December 2016

"Compelling Arbitration By and Against Nonsignatories," *The Construction Lawyer*, American Bar Association's Forum on Construction Law, Volume 36, Number 3, Summer 2016

"Victory for Veterans! SCOTUS Rules Unanimously in Favor of Veteran-Owned Small Businesses in Kingdomware Technologies, Inc. v. United States," *ABA Forum on Construction Law, Government Construction newsletter*, June 2016

"From Griddles and Ice Makers to Billions of Dollars in Government Contracts: The History and Potential Impact of the United States Supreme Court's Anticipated Ruling in Kingdomware Technologies, Inc. v. United States," *Division 13 of the ABA Forum on the Construction Industry newsletter*, Volume 2, Issue 1, March 2016

"Narrowly Tailored or a Narrow Miss: Is DBE Program Expansion for Veteran-Owned Small Businesses Constitutional?," *ABA Forum on the Construction Industry Government Construction newsletter*, Vol. 1, Issue 4, Co-Author, December 2015

"Finding Success in Design-Build in the Aftermath of Hurricane Katrina," *ABA Under Construction newsletter*, Vol 17 No. 3, Co-Author, Winter 2015

"Helping Your Client Set Up a Pre-Bid Risk Assessment System," *ABA Forum on Construction Law Meeting*, Co-Author, 2015

"So What's the Remedy? Modern Trends in Miller Act Waiver Jurisprudence," *ABA Construction Forum Government Construction Newsletter*, Co-Author, 2015

"International Green Construction Code: Coming to a City Near You," *2x4x10 Newsletter of the ABA Forum Committee on Construction Industry*, Co-Author, Winter 2015

## **SPEAKING ENGAGEMENTS**

"Talking About Sex: Are Opportunities and Challenges for Woman as Construction Lawyers and Consultants Changing?," *Construction Superconference*, Las Vegas, NV, 2016

"Say the Word I'm Thinking of: Contract Provisions that Work," *ABA Forum on Construction Law 2016 Midwinter Meeting*, 2016

"Integrated Design but Individual Liability? Contract Issues on Sustainable

Projects," *USGBC Louisiana*, May 2016

"The Art of Advocacy in Taking and Defending Depositions," *ABA Forum on Construction Law Annual Meeting practicum*, Nashville, TN, April 2016

"DBE Requirements and Good Faith Efforts," *Co-presenter B. Dugdale*, March 23, 2016

"Contract Negotiation and the Philosophy of Risk Shifting," *ABA Forum on Construction Law Construction Contracts Regional Program*, February 2016

"If I had only sent an email ...," *co-presenter D. Lund*, 2016 CPM Conference Litigation Keynote Address, 2016

"The Risk and Responsibilities of Managing Prevailing Wage Projects," *CFMA Southeast Louisiana Chapter*, November 19, 2015

"Americans with Disabilities Act Compliance for Construction Projects," *with J. Kessler*, *New Orleans Bar Association*, October 2015

"Contract Negotiation for Owners, GCs and Subs in the Millennial Generation: What Type Of Relationship Are You Building?," *Co-presenter with B. Dacheballi and B. Wescott*, *ABA Forum on Construction Law Annual Meeting*, April 2015

## RECOGNITION

- ABA Forum on Construction Law nominee for the National Outstanding Young Lawyer Award
- Louisiana Rising Star, 2016, 2017
- ENR Top 20 Under 40, 2017

## PROFESSIONAL & CIVIC AFFILIATIONS

- ABA Forum on Construction Law
  - Steering Committee for Young Lawyers Division
  - Liaison to Diversity, SPEC and Division 13 (government contracting)
  - Nominating Committee, 2017
  - Annual meeting co-chair, 2018
- National Association of Women in Construction, Member
- Colorado Bar Association, Member
- Rocky Mountain DBIA, Member
- Colorado Contractors Association, Member
- Colorado AGC, Legislative Committee, Member
- New Orleans Bar Association Construction Law Committee, Previous Chair
- Denver YMCA, Youth Basketball Coach