OLES MORRISON

Sam Baker utilizes his extensive experience in construction, government contracts and commercial litigation to evaluate and resolve construction disputes involving complex, multi-party cases in Washington state and along the West Coast. As a former officer in the U.S. Army Corps of Engineers with a degree in Building Technology and Administration (construction management), he understands the technical aspects of construction in applying the law. Throughout Sam's distinguished career, he has represented clients in transactions with public and federal agencies, as well as private entities. He frequently appears in state and federal courts, and represents clients in arbitration and mediation.

Sam's commitment and achievements in the legal and construction industries were recognized in 2006 when Sam was inducted as the first attorney in the University of Washington Construction Hall of Fame. He is also the first attorney to hold the distinction of serving as a Director of The Beavers and currently serves his third six year term as Trustee of its Charitable Trust. In 2012, the organization awarded Sam the coveted Golden Beaver Award for Service and Supply. In 2014, Sam was selected for membership in the National Academy of Construction and currently serves as its General Counsel.

SAM E. BAKER, JR.

PARTNER

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PRACTICE AREAS

- Construction
- Commercial Litigation
- Government Contracts

EDUCATION

- J.D., University of Montana
- B.S., University of Washington, Construction Management

BAR ADMISSIONS

- Washington State Courts
- U.S. District Court, Eastern District, Washington
- U.S. District Court, Western District, Washington
- U.S. Court of Federal Claims

RANKED IN Chambers USA 2020

Sam Baker

AFFILIATIONS

- General Counsel, National Academy of Construction
- Washington State Bar Association
- King County Bar Association, Construction Law Section
- Montana State Bar Association
- Honorary Director, The Beavers

- Director and Former Chairman, Auction of Washington Wines Board of Directors
- Director and Former Chairman, Seattle Police Foundation
- Vice President, Celebrity Waiters Luncheon Organization
- Founding Member, University of Washington Construction Industry Advisory Council
- Former President, Washington Athletic Club 101 Club
- Phi Delta Phi Legal Honorary

AWARDS & HONOR

- Chambers & Partners, Washington Construction, 2019-present
- *Best Lawyers in America*, Commercial Litigation, 2018-present
- Community Service Award, Celebrity Waiters Luncheon, 2017
- Inductee, National Academy of Construction, 2014
- Golden Beaver Awardee, The Beavers Association, 2012
- Super Lawyers, 2003 - present

REPRESENTATIVE MATTERS

Alternative Dispute Resolution

- Large settlement secured for tunnel contractor on claims for defective design and differing site conditions encountered in construction of a light rail station 200 feet below ground.
- Secured large settlement from state on contractor claims involving a transmission line in Alaska. Subsequently claims for both contractor and state were resolved in multimillion settlement against design professionals.
- Obtained large award from a contract appeal board following a hearing of wrongful termination claim on a highway contract.
- Achieved multimillion dollar settlement of contractor claims against the State of Hawaii involving changed conditions incurred in construction of a large sewage treatment plant.

Risk Management

- Effectively applied the concept of partnering in achieving claims free performance for the constructor of a new floating bridge following the sinking of a predecessor bridge and major litigation brought by State.

Procurement Disputes (Bidding and Bid Protests)

- Supreme Court affirmed a favorable trial court decision in favor of contractor who signed their land but not the bid form.

Litigation

- Full recovery based on decision of the Engineering BCA for inherent failure of a government-designated rock quarry to produce specified armor stone for new dikes/revetments on a harbor project.
- Federal court jury in Montana returned large verdict for a contractor on claims against surety for failure to comply with industry standards applicable to a contractor default.
- Secured a jury verdict after 14 weeks of trial for a contractor and owner against the design professional based on the cumulative impact of massive changes in constructing a high-rise building in Seattle.
- Secured multi-million-dollar decision from ASBCA granting full recovery for significant quantity underruns on a dredging project.
- Large judgment upheld on appeal for constructor claims for multiple changes and breach of design warranty involving substantial refurbishment of an oil refinery in California.
- Jury awarded 100 percent of all claims for costs overruns plus business devastation damages on a road building contract in rural Alaska.

Claims

- Represented prime contractor on concrete physical sciences structure at a state university, which settled after seven weeks of trial and continued for five more weeks in successful defense of mechanical contractor claims. Judgment for contractor was sustained by State Supreme Court.
- Facilitated full recovery following lengthy trial for contractor on highway construction claim involving changed conditions claims due to failure of designated gravel courses to produce specified materials.

- Secured large settlement for contractor of a major port expansion first against the federal government and later on claims by public owner against the project's design and construction firms.

PUBLICATIONS & PRESENTATIONS

- Co-Author, "Who Pays for Coronavirus Costs on Public Works Projects: Contractors or Owners?" Daily Journal of Commerce, December 24, 2020
- Co-Author, “High court decision deals a blow to contractors’ submittal process,” Daily Journal of Commerce, October 22, 2018
- Presenter, "The Teambuilding Approach to Preparing, Pricing and Prosecuting Requests for Compensation," Oles Morrison Alaska Construction Law and Government Contracting Seminar, 2012
- Presenter, "How to Deal With the Stigma of ‘Claims'," Oles Morrison Construction and Public Contract Law Seminar, 2008
- Presenter, "Terminations – The Course of Last Resort," Oles Morrison Construction and Public Contract Law Seminar, 2005
- Presenter, "Litigation Strategy – How the Parties Should Approach the Process," Oles Morrison Construction and Public Contract Law Seminar, 2004

NEWS & INSIGHTS

- The 2022 Edition of The Legal 500 Nationally Ranks Oles Morrison's Construction and Government Contracts Practices
- 2022 Chambers & Partners Recognizes OMRB as a Leading Washington Law Firm for Construction Law!
- Who pays for coronavirus costs on public works projects: contractors or owners?
- Oles Morrison is Ranked Among Nation’s Top Law Firms by U.S. News – Best Lawyers® 2021 List
- Oles Morrison Rinker & Baker Attorneys Named to The Best Lawyers in America©
- Super Lawyers Selects Fourteen Oles Morrison Attorneys for inclusion in the 2020 Super Lawyers and Rising Stars Lists.
- Chambers & Partners recognized Oles Morrison Rinker & Baker in its annual Chambers USA Guide
- Washington’s Version of “Shelter in Place”: What it Means for the Construction Industry
- COVID-19 and Impacts on Construction
- Oles Morrison is Ranked Among Nation’s Top Law Firms by U.S. News – Best Lawyers®
- Nine Attorneys Were Selected For Inclusion in The Best Lawyers in America 2020
- Ten Attorneys Selected to the 2019 Washington Super Lawyers and Rising Stars
- Legal 500 Recognizes Oles Morrison Rinker & Baker’s Government Contracts Practice In 2019 National Guide
- Oles Morrison Rinker & Baker Receives Rankings In 2019 Issue Of Chambers USA Guide
- Oles Morrison is Ranked Among Nation’s Top Law Firms by U.S. News – Best Lawyers®
- High court decision deals a blow to contractors’ submittal process
- Oles Morrison Rinker & Baker LLP attorneys selected for inclusion in The Best Lawyers in America® 2019
- Five Oles Morrison Attorneys Named to 2018 Washington Super Lawyers List
- Serving Our Clients for 125 Years
- Sam Baker and Auction of Washington Wines Raises Record Breaking $4.1M
- Six Oles Morrison Attorneys Named to 2017 Washington Super Lawyers® and Rising Stars Lists
- Northern California Super Lawyers Recognizes Rob Leslie
- Super Lawyers Recognizes Six Oles Morrison Attorneys
- Sam Baker Elected to National Academy of Construction
- Oles Morrison Supports the Beavers Charitable Trust
- Super Lawyers Recognizes Nine Oles Morrison Attorneys
- Oles Morrison featured in AGC’s The Alaska Contractor Magazine
- Five Oles Morrison Attorneys Named to Super Lawyers Lists
- The Beavers Heavy Engineering Construction Assoc. Announces Sam Baker as 2012 Golden Beaver Awardee

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