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# Contractor

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# OLES MORRISON RINKER & BAKER LLP

By CARLY HORTON STUART



MEMBER PROFILE



## Contractors in lawyers' clothing

From Alaska's frozen tundra to the sunny climes of San Diego, Oles Morrison Rinker & Baker LLP has represented clients on projects related to construction, government contracts and public procurement for 120 years. One of the Pacific Northwest's oldest law firms, Oles Morrison's 22 attorneys provide judicious, highly experienced counsel on issues arising from requests for proposals and bidding, to bid protests, changes, claims, disputes and terminations.

Established in 1893 in Seattle, the firm's focus shifted to construction law during the 1930s. By the 1950s, the firm represented a young Alaska Airlines and was involved in Alaska's military-related growth and the state's reconstruction efforts after the 1964 earthquake.

With so much of its business focused on the 49th state, Oles Morrison decided to open an Anchorage office in 1991. It currently has five attorneys who actively practice in Alaska: Samuel Baker, Doug Oles,

Peter Ralston, Craig Rusk and Tom Krider. In addition to offices in Seattle and Anchorage, Oles Morrison maintains a third office in Oakland, California.

Rusk first went to Alaska for a case in 1986.

"My interest in construction law essentially started when I graduated from law school," he said. "I had an opportunity (to work in construction law), and discovered I really liked working with contractors. We encounter some interesting people with great personalities and a lot of complex issues. We're dealing with a lot of very complicated principles; the work is never boring or repetitive."

Rusk also discovered construction itself interested him. "I've spent a lot of time learning about the industry: building techniques, how equipment works. The industry and the people were what got me interested and have kept me interested."

Krider emphasized the firm's long-standing and strong commitment to Alaska's construction industry. Whether it's a small business with two employees or a large company that pulls in several hundred million dollars of business annually, "every project is unique. We're dealing with complicated, technical contractual issues that most people wouldn't inherently understand. When all that complexity and risk is coupled with Alaska's extreme weather conditions, there's a lot at stake. You need attorneys who understand the issues and have worked on similar cases in the past."

With Oles Morrison's roster of seasoned attorneys, Krider said there is "almost always an attorney who has dealt with a particular issue." That breadth of experience, he said, is what allows Oles Morrison to give the best care to all its clients. In Alaska, those clients include Davis Constructors & Engineers, UIC Construction, Unit Co., Colaska, Alaska Interstate Construction, and Granite Construction.



PHOTO: BOB HALLINEN

Second from left, Sam Baker of Oles Morrison; Ray Butcher, project superintendent for QAP; and Tanya Tresino, HSE manager for Colaska Inc., at the job site on the Seward Highway in Anchorage.



From left, Craig Rusk, Doug Oles, Pete Ralston (standing) and Tom Krider of Oles Morrison Rinker & Baker. PHOTO: MARK STONE

Ben Northey is president of Colaska Inc., a group of heavy civil engineering general contractors based in Anchorage. Colaska has worked with Oles Morrison for 20 years.

"Whether they're conducting annual training seminars or we're relying on them for legal counsel, we have always found Oles Morrison to be very professional and knowledgeable of our industry," Northey said. "While we always try to avoid litigation, it's nice to be able to communicate with counsel who is familiar with our industry and our conditions here in Alaska. The attorneys at Oles Morrison are truly contractors in lawyers' clothing."

The firm also boasts decades of experience in government contracting. Many Oles Morrison attorneys served with government entities prior to joining the firm and use this experience to effectively advise clients through federal procurement issues.

Oles Morrison has been a member of AGC of Alaska since it opened its Anchorage office.

"A large number of our clients are AGC members," Rusk said. "AGC membership allows us to keep in contact with our clients and keeps us aware of the issues our clients are concerned about."

"It also gives us opportunities to participate in AGC programs and inform our clients of changes to construction law," Krider added.

Rusk said the nature of construction law presents plenty of challenges. "Most construction projects involve significant amounts of risk, and people often overestimate their ability to control that risk," he said. "Part of our job is trying to make people — our clients, the folks on the other side — accept the share of risk they're bearing."

One recent successful case involved construction of an Alaska bridge. The design blueprint called for a "pier" to support the bridge. When installing the pier, the contractor ran into subsurface conditions that were not identified in the contract documents. The conditions "disrupted the time schedule," Rusk said. "It pushed construction into winter, and the

contractor couldn't work during the spring fish run." (The project was due to be completed in the fall.) The attorneys at Oles Morrison were able to convince the owner there was a contractual liability, and the contractor was paid a satisfactory amount and was able to finish the project.

As for the future, Oles Morrison would like to add additional attorneys to its Anchorage office. "Oles Morrison looks forward to continued growth of our Alaska practice," Krider said. The

firm certainly seems to be maintaining its reputation for excellence: In 2012, Oles Morrison Rinker & Baker has been selected by U.S. News & World Report, the oldest and most respected peer-review publication in the legal profession, as a Tier 1 Best Law Firm in every edition (2010–2014).

For information, visit [www.oles.com](http://www.oles.com).



Carly Horton Stuart is a freelance writer based in Anchorage.

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