

SQUARE FEET

The 30-Minute Interview/Mary Jane Augustine



MARILYNN K. YEE/THE NEW YORK TIMES

Ms. Augustine, 62, is a managing partner in the New York office of the law firm *McCarter & English*, and a member of its real estate, construction and environmental group. She currently represents the *Giants* and *Jets* football teams in the *New Meadowlands Stadium*, which last week was awarded the 2014 Super Bowl.

Interview conducted and condensed by
VIVIAN MARINO

Q For the last 35 years, you have focused your practice in the construction industry. What attracted you to that field?

A It's an exciting industry to be involved in. It's very fast-paced — lots of money, lots of risk — but the outcome is something you can see and touch.

Q How did you first get involved?

A I absolutely fell into it, nothing planned at all. I was working my way through law school. I already had two part-time jobs and I needed some more money, so I took a job that paid \$3.50 an hour for law clerks. I did not know what the law firm did — I only knew that they had nice offices and were paying this princely sum. The firm was *Smith Currie & Hancock* in Atlanta, which was, and still is, one of the premier construction labor law firms.

Q Was it hard for a woman then?

A When I first started out, I was always the only woman at every meeting. The people that I worked with — although they were wonderful to me — and the clients really did not know what to do with a woman. They didn't know how to bring a woman into their macho sort of setting.

Q How is business these days?

A It's better — 2009 was a challenging year. Business virtually stopped, because our clients' businesses stopped. Things are picking up, though I think people are still cautious — architects in particular. Instead of seeing full architectural services for a project, you'll see the first phase or the first couple of phases.

Q How many deals are you working on?

A Maybe six or eight — about 40 or 50 percent of what it was at the peak, which for me was in 2007.

Q What was your role in the *New Meadowlands Stadium*?

A I was the chief negotiator and the drafter of the design-build agreement with *Skanska*. Both my client — the teams and the *New Meadowlands Stadium Company*, which was formed by the teams — and *Skanska* were willing to invest in that document to serve as a roadmap for the project. Because we did that, the project has gone amazingly smooth.

Now in Washington, D.C., it's almost all government based. One weekend we had all three presidential candidates' security and the pope's security stay with us, because we're a block and a half from the White House.

Q What was negotiated?

A What the design builder was going to do relative to the other contractors. *Skanska* was responsible not only for the construction but the design. Other contractors were doing other things like telecommunications.

Q Have you been to an event there yet?

A I haven't, but I'm looking forward to it. I think I'll go see one of the teams play.

Q Which is your favorite team?

A I couldn't say in this context.

Q Speaking of competitors, have you ever had two clients across the table from each other?

A I have encountered that a few times, and we reached an agreement where I would represent one party or the other.

Q What are some of the biggest issues facing clients today?

A Financing issues. You need to make sure there's enough money for the projects to go ahead, and if they have to be suspended, that the contracts address how that would be handled. If you're an architect, engineer or contractor, you face a real dilemma because you have an assigned team. Most firms cannot afford to keep the team together, so the contract needs to address how they will be compensated. You have demobilization and remobilization costs.

Q Which are your most memorable deals?

A All of them were memorable, but I picked out four that stand out in my memory. They are:

The *Museum of Modern Art* renovations; I represent *Yoshio Taniguchi*, the architect.

The new *New York Times* headquarters, representing *The Times*.

Gazprom Tower in *St. Petersburg, Russia*; I was representing the architect from *Scotland*.

The fourth one is the stadium, which has been a part of my life now for three and a half years.

Q One of your specialties is sustainable building.

A You don't want to build a conventional building anymore, because it will be functionally obsolete quickly. It's almost a requirement of the job that you have *LEED* accreditation.

Q Are you handy at home?

A No, I'm not. My daughter's the handy one — she's a contractor.