

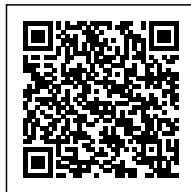
CONNECTING NATIONAL AND LOCAL LEGAL NEEDS - GREENBERG

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Yosbel Ibarra

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One of the challenges facing foreign companies entering the US understanding the complex mix of national federal, state and local regulation

The US remains a very attractive market for many Iberian companies, says Yosbel Ibarra, Shareholder with Greenberg Traurig in Miami, particularly many large infrastructure companies, but there is more to doing business there than simply setting up shop.

"The reality may seem daunting to many," he explains, "particularly those companies intending to operate across different states where they may have to manage often divergent regulatory requirements."

Florida has seen a number of major infrastructure wins by Spanish construction companies and many are now using their success there as a springboard to tender for work across the US, he says.

But while each project inevitably brings its own challenges, a key demand always is to deal with local regulatory requirements – each State has its own take on projects, financing and permitting. “Public-private partnerships (P3) are a relatively new development across much of the US,” says Ibarra, “with companies often having to overcome public, political as well as legal hurdles to ensure success”.

Florida, Virginia and Puerto Rico have been at the forefront of P3 developments, with model P3 legal regimes and, generally, strong political support. But even in these markets, political changes and perplexing local issues, together with continuing finance pressures on public purses, create challenges for new projects, says Ibarra.

The construction sector is perhaps only one of the most obvious examples of the complex web of legal and regulatory issues that can confront businesses in the US, he says. Those operating in the food or transport sectors, for example, need to address licensing requirements that are often as complicated as those faced by companies building the country's roads, railways and bridges.

“It is vital for a company's success that it connects with dedicated local expertise,” adds Ibarra, “including legal counsel who can help identify and address potential roadblocks to developing a successful business in the US.”