

## Public-Private Partnerships

Our Firm has extensive experience advising clients on complex public-private partnership (P3s / PPPs) projects, including those using availability payment, revenue risk, and long term concession models. We regularly represent public authorities, and select private clients, across the United States. We have a particular focus on projects that entail novel challenges or circumstances which benefit from tailored solutions.

Our P3 practice is unusual because it constitutes an integrated part of cohesive, fully aligned projects 'first and only' firm. Practically this means that we can offer extensive, relevant P3 experience together with complimentary subject matter expertise in a range of areas relevant to the success of a complex P3 project structure.

### Representative Experience

- Advised the City and County of Denver on the Triangle Project. This project involves the procurement of a P3 developer to design, build, finance, market, program, operate, and maintain 60 acres as part of the development of the National Western Center Campus as a new district within the City in an area now largely comprised of outdated structures, vacant lots, and underutilized or unused parcels. The project uniquely combines elements of an availability payment P3 with a revenue risk real estate development project. It also pairs infrastructure delivery, mixed use development, and events-based programming of public spaces.
- Represented the City and County of Honolulu in its joint procurement for the final phase of the Honolulu Rapid Transit Project (H RTP) as an availability payment P3 together with the Honolulu Authority for Rapid Transit (HART). The H RTP involves the construction of an automated elevated rail system in the most densely populated region of the most densely populated island in Hawaii.
- Represented the Colorado Department of Transportation (CDOT), High-Performance Transportation Enterprise, and Bridge Enterprise as project delivery counsel and, previously as environmental/litigation counsel, for a complex Central 70 project on I-70 to replace an aging interstate viaduct in central Denver with a below-grade, covered segment of the interstate with greater capacity. The project is structured as an availability payment P3. P3 Bulletin awarded the Project its 2018 Best Road / Bridge / Tunnel Project “Gold” award and Best Financial Structure “Silver” award.
- Advised on environmental approvals, assisted with negotiations with air carriers, and advised Snohomish County, Washington in negotiations with Propeller Airports regarding their proposal for a public-private partnership for the development, construction, financing, and operation of a new passenger terminal. After those successful negotiations—and at the request of both the County and Propeller Airports—represented Propeller Airports in its successful negotiations among carriers and other terminal service providers and with securing necessary federal approvals for the new terminal. The Paine Field Terminal is the first effort by an airport proprietor to contract for a privately designed, built, financed, operated, and maintained passenger terminal within the United States.
- Advised a major airport authority in structuring and preparing documentation for a comprehensive landside transportation services and facilities long term concession and license arrangement. The arrangement would have provided for a significant up-front payment. We worked with the authority to refresh past forms of agreement from similar arrangements to address public policy concerns while still achieving best value.
- Served as part of the legal team that represented Denver’s RTD on the EAGLE P3 Project, the landmark \$2 billion commuter rail project, with the main line running from Denver Union Station to Denver International Airport.