

Surface Transportation Project Delivery through P3s

Public authorities increasingly look to innovative project delivery methods in order to deliver and maintain critical surface transportation facilities. Among such methods, public-private partnerships (P3s) involving the design, construction, financing, operation, and/or maintenance of public transit, passenger rail and high-speed rail, highway, managed lane, bridge, and tunnel projects offer both public and private sector participants among the greatest opportunities—and the greatest challenges. Kaplan Kirsch & Rockwell understands from experience that there is no particular right way to structure a P3 for a surface transportation project, whether it involve the greenfield development of a new commuter rail facility, a concession and lease of an existing toll road facility, or a transit-oriented station redevelopment project. Rather, in the rapidly evolving P3 market, we recognize that there are best practices and learned experiences that must be adapted and applied to the needs of a particular project in order to achieve a result that fully delivers for both public and private sector interests.

Representative Experience

- Representing the Colorado Department of Transportation in the procurement of an availability payment P3 project for the Central 70 project.
- Representing a California city in the development of highway and transit access and improvements to an international airport.
- Representing the master developer selected to redevelop the Denver Union Station site, a project that includes approximately \$500 million of public infrastructure to establish Denver Union Station as the multi-modal transit hub for the greater Denver region and involves more than \$500 million of private development, as well as the country's first joint TIFIA and RRIF loan project financing.
- Represented a global infrastructure operator in connection with the potential acquisition of interests in a toll road operator in a state that is a leading P3 jurisdiction.
- Represented Regional Transportation District (RTD) on the EAGLE P3 Project, a \$2 billion availability payment P3 commuter rail project, with the main line running from Denver Union Station to Denver International Airport.
- Represented a bidder on a bridge project in Texas that combined a design-build model with a gap financing option.
- Represented bidders on proposed availability payment P3 road projects in Illinois and Indiana.
- Represented a public authority in Texas on the development of P3 procurement guidelines in connection with a potential commuter rail project, including procedures to accommodate an anticipated unsolicited bid.
- Represented private entities proposing an innovative P3 concession to address capacity needs in a complex mountain corridor in Colorado.
- Represented a public authority in Florida in connection with a proposed concession and lease of an existing toll road facility as well as a potential high-speed rail project.
- Represented the City and County of Denver Department of Aviation on a public-private partnership for the development of the Peña Station rail station as a transit-oriented development.