

# Brent E. Butzin

Partner | Denver

bbutzin@nossaman.com

1801 California Street, Suite 2400  
Denver, CO 80202



Brent's practice focuses on advising public agencies on the structuring, procurement, negotiation, financing, construction, and delivery of his clients' most innovative, unconventional, and challenging projects. He has extensive experience in the use of public-private partnerships and other alternative contracting tools and brings an emphasis on delivering value to the public through the entire project lifecycle.

Brent's current work includes a broad array of projects ranging from the development of new public facilities, including hotels, conference centers, and arenas, to transportation projects, including new passenger rail systems, airport facility modernizations, and autonomous vehicle-based public transit. Brent is a nationally recognized project development attorney, including recognition by *Chambers USA* in the area of projects/public-private partnerships and from Best Lawyers in America® for his expertise in construction law.

Brent previously served as general counsel to the Colorado Transportation Investment Office (CTIO), formerly known as the High Performance Transportation Enterprise (HPTE), a government-owned business and division of the Colorado Department of Transportation (CDOT) and the office responsible for pursuing public-private partnerships and other innovative means of project finance and delivery. He has also advised commercial developers on the organization and structuring of taxing districts, improvement districts, and other special purpose entities to support public infrastructure development.

From 2008 to 2010, Brent worked as a City Management Advisor for the U.S. State Department based in Iraq, where he served as a senior advisor to mayors and district councils on the delivery of infrastructure projects and the development of local governance capacity. Brent is also a licensed Professional Engineer.

## EXPERIENCE

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**Landside Access Modernization Program (LAMP) Consolidated Ren-a-Car (ConRAC) Project.** Represent Los Angeles World Airports in connection with contract administration and construction claims on the ConRAC DBFOM project, including advice on the resolution of construction, permitting and schedule-related claims and representation of LAWA in Project Neutral proceedings.

**Equestrian Events Center + Hotel Project, Denver, Colorado.** Represent the City and County of Denver on the procurement of an approximately \$500 million project to develop a new 6,000 seat equestrian center, on-campus hotel and associated parking for the National Western Center Campus. The project is being progressed under a predevelopment agreement that will see the private developer design, finance, construct, operate and maintain elements of the project. The project will be the first of its kind to utilize the USDOT's RRIF Transit Oriented Development (TOD) financing program. Brent previously advised the City on the "Triangle" P3 procurement, which

contemplated the full build-out of Phases 3-8 of the Campus, including a 10,000 seat arena, 400,000 square feet of exposition space, adaptive reuse of the historic 1909 Stadium Arena and significant private real estate development.

**Front Range Passenger Rail District, Denver, Colorado.** Represent the Front Range Passenger Rail District as general counsel supporting the District's efforts, in collaboration with the Colorado Department of Transportation, to develop Colorado's first intercity passenger rail service, initially running between Pueblo and Fort Collins. The project has been accepted into FRA's Corridor ID Program and expected to complete the service development plan in 2025.

**Tunnel to Ontario International Airport, San Bernardino County Transportation Authority, California.** Advise SBCTA on the procurement of a tunneled, fully autonomous on-demand transit connection from the Rancho Cucamonga Metrolink Station to the Ontario International Airport. The tunnel is anticipated to connect to anticipated Brightline West high speed rail service, connecting Southern California to Las Vegas and the West Valley Connector Bus Rapid Transit service. SBCTA is undertaking a two-step progressive design-build procurement that will retain multiple teams to ensure price competition while maximizing competition and will also include an O&M component. The procurement also seeks to integrate innovations in tunneling technology with emerging autonomous vehicle technologies in a first-of-its-kind airport connector application.

**Contra Costa Transportation Authority, Contra Costa County, California.** Represented the Contra Costa Transportation Authority on its procurement of a proposed fully-autonomous dynamic transit project in the East Bay area, which will link East County communities to Bay Area Rapid Transit (BART) stations. The procurement utilizes portions of California's Infrastructure Finance Act (IFA) and other legal authorizations to enable a progressive DBFOM procurement that contemplates undertaking project development and environmental reviews collaboratively between CCTA and the selected private partner.

**Landside Access Modernization Program (LAMP) Automated People Mover (APM) Project.** Represent Los Angeles World Airports in connection with contract administration and construction claims on the APM DBFOM project, including advice on the negotiation of a comprehensive settlement of outstanding claims on the project.

**LAX Cargo Modernization, Los Angeles, California.** Represented the City of Los Angeles/Los Angeles World Airports (LAWA) on its \$2.3 billion effort to modernize and consolidate cargo facilities at LAX. LAWA entered into a predevelopment agreement with the selected development team and negotiations toward a development agreement remain ongoing.

**Hydrogen Fueling Facility, San Bernardino County, California.** Advised SBCTA on contracting for the construction of a hydrogen fuel facility to support the Arrow commuter rail service, North America's first battery and hydrogen-powered passenger train, between San Bernardino and Redlands.

**Campus Conference Center and Hotel, Boulder, Colorado.** Advised the University of Colorado and the CU Boulder Enterprise Corporation (CUBEC) on the P3 development of an on-campus 250-room hotel and 25,000 square foot conference center facility on the University of Colorado campus, which is envisioned to be a destination for high-profile events and experiences linking the university, research, business and nonprofit communities in Boulder.

**LAX Terminal 9, Los Angeles, California.** Represented the City of Los Angeles/Los Angeles World Airports (LAWA) on the development of the proposed Terminal 9, which upon completion would greatly expand wide-body aircraft gate capacity at LAX. The project is being procured under progressive design-build model.

**I-10 Project Claims, San Bernardino County, California.** Advised SBCTA on construction period claims related to the I-10 Express Lanes Project, which includes approximately 10 miles of new express lanes construction stretching from the Los Angeles County line to I-15. The representation includes advising SBCTA on strategies related to significant 'total cost claims', COVID-related claims and other schedule-related claims on this \$930 million project.

**Central 70, Denver, Colorado.** Represented CDOT, HPTe and the Colorado Bridge Enterprise on the procurement of a \$1.2 billion availability payment DBFOM P3 for the reconstruction of I-70 through Denver, acting as the primary commercial and legal contact for the authorities. Subsequently represented CDOT on construction period P3 contract administration issues and claims negotiations, including a successful construction-period TIFIA refinancing that was coupled with the successful settlement of claims relating to freight railroad delays.

**Honolulu Rail Transit Project, Honolulu, Hawaii.** Represented the City and County of Honolulu on the \$8.2 billion DBFOM P3 procurement of the Honolulu Rail Transit Project, a 20-mile, 21-station elevated light rail system linking East Kapolei on the west side of Oahu to Aloha Stadium, Pearl Harbor, Honolulu International Airport, downtown Honolulu and the Ala Moana Center.

**Stations Accessibility Projects, Metropolitan Transportation Authority, New York, NY.** Part of the legal team that advised New York's MTA Construction & Development in connection with its design-build program, including procurement of a multi-station design-build-maintenance ADA accessibility station upgrade project across the five boroughs of New York City, including the installation of new elevators at each station, structural and excavation work, electrical and communications upgrades and platform reconstruction.

**Gateway Program and Portal North Bridge, New York / New Jersey.** Part of the legal team that advised NJ TRANSIT in connection with the trans-Hudson River Gateway Program, including advise on project funding, financing (including potential TIFIA/RRIF loans) and strategy on the core \$20bn tunnel project, as well as the funding and procurement of the \$1.5bn Portal North Bridge passenger rail project.

**Red-Purple Line Modernization Project, Chicago Transit Authority.** Part of the legal team that represented the Chicago Transit Authority on the Red-Purple Line Modernization design-build project, the largest capital project ever undertaken by the CTA. The project involved the complete rebuild of significant portions of nearly century-old elevated transit lines and structures, including the reconstruction of four active stations—through the heart of Chicago's north side. The project integrates P3 risk allocation provisions and market practices into CTA's existing design-build procurement structure.

## COMMUNITY & PROFESSIONAL

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Government Counsel and Construction Sections, Colorado and Denver Bar Association, 2013 – Present, Member  
Denver YIMBY, 2017 – Present, Founding Member  
The Park People, Denver Digs Trees Program, 2012 – Present, Community Forester

## HONORS

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Included in *The Best Lawyers in America*® for Construction Law, 2024  
Individual recognition for Nationwide, Projects: PPP – Up and Coming by *Chambers USA*, 2023  
Rocky Mountain Land Use Institute Award for Excellence in Land Use Law, 2008

## PRACTICES

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Infrastructure

## EDUCATION

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University of Denver Sturm College of Law, J.D., 2008  
University of Colorado, M.S., 2005; B.Env.D., 2003; B.S., 2003

## ADMISSIONS

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Colorado