Holland & Hart



PRACTICES

Finance
Corporate

INDUSTRIES

Construction and Development
Renewable Energy and Storage

EDUCATION

University of Tulsa College of Law, J.D., 2006
With Highest Honor
Order of the Curule Chair
Tulsa Law Review, Managing Editor

Illinois Wesleyan University, B.A., 2000

Northwestern University
Varsity Basketball

BAR ADMISSIONS

Colorado

COURT ADMISSIONS

U.S. Court of Appeals for the Tenth Circuit
U.S. District Court for the District of Colorado
U.S. Supreme Court
U.S. District Court for the Northern District of Oklahoma
All State and Federal Courts in Colorado

Sean Hanlon

Partner

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Sean provides strategic project development counsel to clients involved in a broad range of renewable energy projects with a specialization in the development, drafting, negotiation, and finalization of key project agreements.

Sean assists clients through the complete lifecycle of renewable energy projects, from the initial stages of development and construction, to revenue generation, and the daily operation and maintenance of those facilities.

Drawing from over fifteen years of litigation and trial experience, Sean and the team of project attorneys proactively identify potential issues and safeguard clients' interests in crafting and negotiating critical agreements. His informed project counseling aims to resolve disputes early and efficiently, preventing delays and ensuring smooth project progression.

Additionally, Sean offers pre-litigation claims counseling and a range of dispute resolution services, including resolution of change order disputes for requested schedule and cost relief, operation and maintenance services claims, and warranty claims. Sean also assists clients with critical project documentation, including notices and responses. When formal dispute resolution or litigation becomes necessary, Sean seamlessly integrates his litigation team to counsel clients through trials, arbitrations, mediations, dispositive motions, settlements, and appeals.

EXPERIENCE

Transactions

Renewable Energy Projects

- Engineering, Procurement, and Construction (EPC) Contracts
- Construction Contracts
- Design Contracts
- Mechanic's Lien Waivers and Releases
- Payment and Performance Bonds
- Owner-Supplied Equipment Contracts
- Turbine Supply Agreements
- Operation and Maintenance Agreements
- Service Maintenance Agreements

- Limited Notices To Proceed
- Project Close Out Agreements
- Settlement Agreements
- Master Services Agreements
- Balance of Plant Contracts
- Equipment Supply Agreements
- Power Purchase Agreements
- Joint Venture Agreements
- Management Services Agreements
- Warranty Agreements

Construction, Development and Design

- Bid Packages, Contracts, and Bonds
- Project Controls and Project Administration
- Claims Avoidance
- Claims Counseling and Resolution
- EPC Projects
- Procurement Issues and Raw Material Supplying
- Design-Build Projects
- Mechanics' Liens and Miller Act Claims
- Change Orders
- LEED/Green Projects
- Delay, Interference, and Disruption
- Termination and Default
- Lost Productivity
- Bidding and Award Disputes
- Cost Escalation
- Construction Failures and Warranties
- Insurance Coverage
- A/E Liability

CLIENT RESULTS

Representative Projects and Transactions

Project counseling to developers of renewable energy projects related to wind turbine supply agreements, EPC contracts for solar, wind, and battery energy storage projects, balance of plant contracts, warranty agreements, and operation and maintenance agreements.

Represent a developer of a graphite manufacturing plant producing sustainable high-purity U.S. domestic graphite for the electrification of the transportation and renewable energy power systems. Provide project

counseling related to its construction, design, supply, and construction management agreements. Also assist the developer obtain project counseling advice related to intellectual property, insurance, and nondisclosure agreements.

Represent a developer modifying existing energy facilities to process renewable feedstocks (such as seed oils, used cooking oil, and tallow) into low-emission sustainable alternatives that directly replace fossil fuel products. Provide project counseling related to the EPC contract, project controls, project administration, claims evaluation, counseling and development.

Represent a contractor on a design-bid-build federal nuclear weapons storage facility project. Provide project counseling related to disruption, critical path delays, and related claims counseling.

Represent an indigenous nation of American Indian people whose sacred and sovereign homelands are located in Central New York related to a variety of construction projects. Draft and negotiate a variety of design, construction management, design-build, and construction agreements and provide project documentation and counseling advice related to the nation's construction projects and developments.

Represent a developer of affordable housing projects. Prepare a suite of project related agreements for the developer's use and implementation.

PUBLICATIONS

"The Construction Law Corner: Colorado Expands Agencies' Ability to Utilize the P3 Model," *Colorado Construction & Design (CCD) Magazine*, Summer/Fall 2022

"GREEN BUILDING WATCH: The Destiny USA project—benefiting from tax-exempt green bonds worth hundreds of millions due to its uber-green promises—is likely destined for litigation," *Holland & Hart Constructive Developments Newsletter*, July 2011

SPEAKING ENGAGEMENTS

""Standard of Care" Panel Discussion," *American Society of Civil Engineers (ASCE) 9th Forensic Engineering Congress Conference*, 11/06/2022

RECOGNITION

- *Chambers USA*, Construction, 2021-2026
- *The Best Lawyers in America*®, Lawyer of the Year, Construction Law - Denver, 2026
- *The Best Lawyers in America*®, Litigation - Construction, 2021-2027; Litigation - Real Estate, 2022-2027; Construction Law, 2023-2027
- *Denver Business Journal*, "40 Under 40," 2016
- Colorado Super Lawyers®, Construction Litigation, 2026

- ColoradoBiz, Colorado 500, Real Estate/Construction Law, 2026
- Colorado Super Lawyers® Rising Stars, Business Litigation, 2014-2017
- Construction Lawyers Society of America, Charter Fellow

PROFESSIONAL AND CIVIC AFFILIATIONS

- Construction Lawyers Society of America, Fellow
- Downtown Denver Partnership, Member
- Downtown Denver Partnership, Transportation & Development Council, Member
- Downtown Denver Partnership, Economic Development Council, Member
- American Bar Association Construction Law Forum, Member
- Planning Committee, Mile High Country Q & Brew charity event benefiting the Tennyson Center for Children, Member, 2011-2016
- U.S. Green Building Council, Colorado Chapter, Member
- DBIA Rocky Mountain Region, Member
- 2014 Downtown Denver Leadership Program, Member