



BUCK S. BELTZER, P.E., ESQ.

FOUNDING PARTNER

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EDUCATION

University of Denver

Juris Doctorate, Order of the Coif

Denver, CO

Auburn University

Bachelor of Civil Engineering

Auburn, AL

LICENSES

Colorado Attorney, Bar No. 37804

Nevada Attorney, Bar No. 10513

AWARDS

Chambers USA Registry, 2021

Colorado Law and Construction Litigation Best Lawyers, Lawyer of the Year, 2020

5280 Magazine Top Lawyer Construction Law, 2019

5280 Magazine Denver's Top Lawyers, Construction Law, 2018-present

Super Lawyer, 2017-2020

Super Lawyer, Rising Star, 2013-2014, 2016

ACEC Colorado, President's Award, 2013, 2015

Mountain States Construction Magazine, Top 20 Under 40 in Construction, 2010

EMPLOYMENT

Beltzer Bangert and Gunnell LLP

Founding Partner

Denver, CO

2017 - Current

BIOGRAPHY

Buck is a professional engineer turned construction lawyer. He develops strategies to turn-around troubled projects, and if the dispute is unavoidable he steps in to help resolve it. Buck has won cases tried to juries, arbitration panels, and judges. These disputes have involved contract scope, schedule/delay, impacts, standard of care, and construction defects on commercial, infrastructure, and energy projects, both private and public. He's represented parties to design-bid-build, CM/GC, target price, design-build, ESCO, incentive, and P3 delivery method agreements. He's resolved complex, multi-party and multi-tier disputes where significant damages were at risk.

Buck is involved in a number of industry associations. He contributes locally to the DBIA as a board member and to other local and national industry associations, such as the Colorado Contractors Association and Associated General Contractors of Colorado as a contributing member. He has served in various capacities and in division and committee-level leadership positions in the American Bar Association's Forum on Construction law.

He has been recognized by various legal publications as a top lawyer. Best Lawyers named him Colorado's Lawyer of the Year for the practice areas of Construction Law and Litigation - Construction in 2020.



Buck is licensed to practice law in Colorado and Nevada, and has represented clients via pro hac vice admission in Wyoming, Washington, Nevada, Kansas, Montana, California, South Dakota, Minnesota, and South Carolina. Prior to becoming a lawyer, Buck worked as a civil engineer in Colorado and North Carolina, specializing in transportation infrastructure and major interchange projects. His team designed several high-profile projects, like the University Boulevard interchange portion of Denver's design-build TREX project and the roadway and ramp improvements for the Piedmont Triad International Airport's FedEx handling facility in Greensboro, North Carolina. He is licensed as a professional engineer in Colorado.

Buck holds a Bachelor of Civil Engineering from Auburn University and a Juris Doctorate from University of Denver, where he graduated Order of the Coif, was awarded several American Jurisprudence awards, co-founded the Construction Law Society, and was an Associate Editor of the Law Review.

PUBLICATIONS

- Task Force Considers Alternative Green Roof Initiative. Colorado Real Estate Journal. November 2018. (co-author).
- Best Practices in Presenting Delay Claims: Bench Trial/Arbitration/Jury Trial. Construction Lawyer, expected publication Summer 2017.
- Time is Not Money - The World of No Damages for Delay Clauses. ABA Forum on Construction Law, Mid-Winter Meeting, January 2013.
- How to Keep Your Public-Private-Partnership Proposals "Yours" and "Private." ACEC-Colorado Magazine. August 2012. (co-author.)
- Infrastructure From the Ground Up. ABA Forum on Construction Law. November 2012. (book co-editor).
- Are Courts Limiting Design Professionals' Ability to Limit Liability? The Construction Lawyer, Volume 30, Number 2. Spring 2010. (co-author).
- Chapter 23 (Colorado Construction Statutes), Practitioner's Guide to Colorado Construction Law. (co-author).
- Biofuel Plant Profitability Through Contract Drafting: A Blueprint for Success. Construction Executive Magazine. November 2008.
- Target Price Contracts: Drafting and Enforcing These Risk Allocation Provisions. ABA Forum on Construction Law. March 2020.

SPEAKING ENGAGEMENTS

- Colorado Legislative Update, 2021.
- Expensive Mistakes to Avoid When the Scope of Work Changes, 2020.
- Drafting and Enforcing Target-Price Agreements, 2019.
- Best Practices in Arbitration and Mediation, 2019.
- Applying the Privilege for Work Product of Dual-Hat Experts, 2018.
- Impact of Broomfield Senior Living on enforceability of contractual waivers, 2018.
- Ethics for the In-House Lawyer, 2017.
- Best Practices in Presenting Delay Claims: Bench Trial/Arbitration/Jury Trial. American Bar Association Fall Meeting 2016.
- Impact of Construction Defects on Multi-Family Home Construction. Colorado Real Estate Journal Multi-Family Development and Investment Conference. October 2014.
- Choosing Between Judge, Jury and Arbitrator: What's the Real Difference? Webinar, ABA Forum on Construction Law. February 2014.
- No Damages for Delay. American Bar Association Mid-Winter Conference, Naples, FL. January 2013.
- The Evidence you Need to Engineer a Winning Case. Invited group. April 2012.
- Proving and Defending Delay and Impact Claims. Invited group. April 2011.



- Recent Trends in Limitation of Liability Clauses. ABA Forum on Construction Law, Division 3, Hot Topic Teleconference. September 2009.
- AIA vs. ConsensusDocs Battle of the Forms. Invited group. February 2008.
- Construction Impacts of 2007 Legislation. ACEC-Colorado. August 2007.

REPRESENTATIVE MATTERS

- Lead counsel for top-10 ENR Contractor in \$20 million payment and differing site condition claim on commercial building against a local government. The claim resolved favorably in mediation.
- Lead counsel for top-ten ENR Contractor alleging \$3 million in delay and disruption damages against design-build architect. The claim resolved favorably in mediation.
- Defended the lead engineer of a \$500 million design-build project against payment claims asserted by a subconsultant on a target price agreement. Prevailed in arbitration, including an award of \$1.5 million in legal fees for the client.
- Represented the lead engineer in prosecuting \$15 million in indemnity claims relating to design defects on a \$1 billion public-private-partnership rail project. The claims resolved favorably in mediation.
- Defended a top-100 ENR Contractor seeking \$1.5 million in delay and supplementation claims against a terminated drywall subcontractor seeking \$500k in contract balance. Prevailed in arbitration, including an award of legal fees for the client.
- Lead counsel for top-10 ENR Contractor in dispute over \$3.5 million for extra work, time-related overhead, and subcontractor pass-through claims on a commercial building.
- Represented a design-build contractor in a four-week arbitration in pursuit of a \$13 million differing site conditions claim and in defense of a \$25 million termination claim against a municipal water company on a sediment dredging and pumping project. The hearing officer denied approximately 99% of the municipal water company's claims.
- Defended a top-10 ENR engineering firm in a \$2 million contract, standard of care, and overbilling dispute brought by a local water district. The jury awarded approximately 3% of the District's claim and handed down a complete defense verdict for the firm on the over-billing claim.
- Defended a design-builder against \$8.5 million in extra work claims brought by a subcontractor. After a two-week jury trial in Federal Court, the jury awarded only \$150 thousand in damages.
- Defended a mining project owner in a \$5 million dispute brought by a utilities contractor for claims relating to extra work. The matter was heard in a five-day hearing before a three-person arbitration panel, which ordered the mining project owner to pay an amount less than could have been achieved in pre-hearing settlement.
- Represented a top-20 ENR engineering consultant in a \$1 million contract dispute with a design-build contractor over an incentive clause payment. The project, a four-lane highway in the mountains, contained significant cuts and fills, which formed the basis for the incentive clause calculation. The matter resolved favorably before trial.
- Represented a commercial-building owner bringing \$2 million construction defect claims against a design-build contractor. The case was resolved for an amount sufficient to fund repairs.
- Represented a metals mine owner in a \$45 million errors and omissions claim against a chemical process and handling engineer. The matter was resolved favorably for a confidential amount with the help of a special master.
- Negotiated \$200 million agreement for the construction of a mixed-use (hotel, condo, resort) building.
- Assisted general contractor in negotiating a Master Construction Agreement with an entertainment-industry owner.
- Assisted general contractor with Colorado-specific issues related to potential condo conversion in a high-rise apartment tower in downtown Denver.
- Drafted construction and schedule terms for build/lease-back of an office building.
- Drafted and negotiated an engineering services agreement for the design of an integrated health care, treatment, and child services facility.

