



BRET R. GUNNELL, ESQ.

FOUNDING PARTNER

(720) 576-7225 • Bret@bbglaw.com

EDUCATION

University of Texas - Austin Austin, TX
Juris Doctorate, Order of the Coif

University of Missouri - Rolla Rolla, MO
Masters, Engineering Management, with distinction

Brigham Young University Provo, UT
Bachelor of Civil Engineering, cum laude

LICENSES

Colorado Attorney, Bar No. 24679

Utah Attorney, Bar No. 7213

AWARDS

Chambers USA Registry, 2007 - Present

5280 Magazine Top Lawyer Construction Law, 2015

Super Lawyer, 2007-present Continental Who's Who, 2007-2008

Best Lawyers in America

EMPLOYMENT

Beltzer Bangert and Gunnell LLP Denver, CO
Founding Partner 2017 – Current

Sherman & Howard LLC Denver, CO
Partner 2000 – 2017

Faegre & Benson, LLP Denver, CO
Associate 1994 – 2000

BIOGRAPHY

Bret is a Denver-based construction attorney with a technical background, practicing exclusively in the area of construction law and litigation. Bret has extensive experience in mediating, arbitrating and litigating a broad range of construction disputes. His practice involves public and private commercial, heavy/highway and industrial projects over \$100 million.

He has arbitrated or tried cases in over a dozen states and U.S. territories. In addition to his work as a trial attorney, Mr. Gunnell has served on the American Arbitration Association's panel of construction neutrals, with experience both as mediator and arbitrator of construction disputes. He lectures and publishes frequently, and teaches a graduate-level course entitled "Legal Aspects of the Construction Process" in the Construction Management department of Colorado State University. He consistently is listed and recognized as among Colorado's Super Lawyers, Best Lawyers, 5280's Top Lawyers, and Denver's Top Lawyers, as well as in Continental Who's Who, NADC's Distinguished Counsel and the Chambers (Tier 1) USA Registry for construction law.



PUBLICATIONS

- Adverse Weather and the Construction Process. Construction Briefing, Federal Publications, Inc. September 1998.
- Interpreting and Enforcing Unsigned Construction Contracts. Construction Law Notes. September 1998.
- Claims for Lost Profit. Proving and Pricing Construction Claims, Wiley Law. 1996.

SPEAKING ENGAGEMENTS

- Sherman & Howard Construction Law Update. 2005-2017.

REPRESENTATIVE MATTERS

- Obtained defense verdict on \$27 million in claims brought by EPC contractor, and recovered \$5 million in extra work, changed conditions and attorneys' fees claims on behalf of marine contractor, on Mexico power plant project involving construction of a \$22 million underwater pipeline.
- Obtained bad faith jury verdict, entailing double damages and attorney's fees, against general liability carrier for its unreasonable delay and denial of coverage for damages arising out of a construction accident.
- Prevailed in bench trial, recovering \$2 million in damages and attorneys' fees, on behalf of girder supplier in disputed termination of a \$7 million subcontract on a Utah highway construction project, which judgment was affirmed on appeal by the Utah Supreme Court in a published opinion (210 P.3d 263).
- Obtained \$1 million verdict (including attorneys' fees) on behalf of general contractor against a subcontractor after two-week jury trial involving delay and defective work claims on a mountain condominium resort development, and a defense verdict on \$0.5 million in counterclaims.
- Prevailed in arbitration over a termination and payment dispute on behalf of a general contractor against the developer of a multi-family residential construction project, which award was affirmed by the Colorado Court of Appeals in a published opinion (181 P.3d 283).
- Represented general contractor against owner, insurers and subcontractors in \$12 million of extra work/construction defect claims over construction of \$70 million high-rise assisted living facility.
- Represented general contractor against owner in \$5 million of extra work/delay claims over construction of \$35 million power plant facility.
- Represented general contractor against owner/developer in \$11 million mechanic's lien claim over construction of \$80 million 8-story hotel and condominium complex.
- Represented general contractor against owner in \$27 million of extra work/delay claims over construction of \$193 million buried highway tunnel.
- Represented general contractor against owner and subcontractor in \$7 million of extra work, delay and defective construction claims over construction of \$10 million highway bridge.
- Represented marine contractor against owner and insurer in \$12 million of extra work and builder's risk insurance claims over construction of \$22 million underwater pipeline.
- Represented owner against general contractor in \$7 million of construction defect claims over construction of \$20 million water distribution pipeline.
- Represented subcontractor against general contractor in \$1.2 million mechanic's lien claim over construction of \$6 million structural steel system for hotels.
- Represented general contractor and surety against owner and subcontractors in \$2 million of extra work/delay claims over construction of \$18 million 8-building condominium retirement community.
- Represented marine contractor against owner in \$4 million of extra work/delay claims over construction of \$14 million commercial wharf.
- Represented Owner against CM/GC in \$50 million of extra work/delay claims over construction of \$280 million tri-state telecommunications fiber network.
- Represented lender against general contractor and subcontractors in \$2 million of mechanic's lien claims over construction of two \$4 million hotels.





- Represented subcontractor against general contractor and owner in \$500,000 mechanic's lien claim over \$2 million subcontract in construction of telecommunications hotel.
- Represented owner against general contractor in \$2.5 million in construction defect claims in construction of an \$8 million wastewater treatment facility.
- Represented owner against design-builder in \$2 million claim over design and construction of a specialized medical facility.
- Represented owner in contract negotiations with designers and general contractor of over \$500 million in hospital facilities.

