



Travis W. Brown

PARTNER

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PRACTICE AREAS

Construction Disputes
Outside General Counsel Services
Construction Contracts

EDUCATION

J.D., University of Texas School of Law
(2005)

B.S., *cum laude*, Political Science,
University of Texas at El Paso (2002)

LICENSES & CERTIFICATIONS

Supreme Court of the United States

Supreme Court of Texas

Admitted to the U.S. District Courts for
Western, Eastern, Northern, and
Southern Districts of Texas

Board Certified, Construction Law —
Texas Board of Legal Specialization



From preconstruction to closeout, clients rely on Travis to assess risk profiles, identify points of leverage, and craft strategies to **get them to the finish line successfully**.

OVERVIEW

An experienced construction lawyer in Texas, Travis Brown acts as outside general counsel and trial counsel to over fifty clients in the industry, with a focus on representing owners and contractors engaged in large-scale Engineering Procurement and Construction (EPC) projects, heavy civil projects, and complex institutional projects. These have included LNG export and import facilities, manufacturing plants, power plants (including gas-fired, coal, solar, wind, and water), petrochemical facilities, desalination facilities, mining, TxDOT highway projects, universities, stadiums, and a wide range of other projects.

In the most general sense, Travis's role as a construction lawyer is to manage the legal and contractual issues that inevitably arise in the course of extremely complex, big-ticket construction projects. These range in scope from straightforward questions that can be addressed in a phone call to intricate, ongoing analysis and negotiation based on a thousand-page contract, such

as a construction management, architectural, supply, or professional services agreement. Depending on the situation, his work may entail reviewing contracts, analyzing and evaluating delay claims, providing guidance to clients on the optimal response to correspondence, developing and implementing a negotiation strategy, filing or defending a formal claim, or a combination of several of these approaches.

Travis's objective is dispute avoidance whenever possible. To accomplish this, he and his team take an approach that's strategic, proactive, and measured. He is particularly skilled at absorbing and analyzing large amounts of information, identifying the key issues, and distilling them down into specific, actionable next steps that allow his clients to manage the inevitable disagreements, surprises, and changes that arise in large, highly complex construction projects.

As a practitioner, Travis and the teams he leads emphasize, above all, responsiveness and speed. This means immediate analysis of questions and issues, with the objective of arriving at a resolution with as little client involvement as possible. His disciplined, highly focused approach allows him to operate efficiently, and typically at a significantly lower cost than the firms against which he is negotiating.

Finally, having devoted his career to practicing construction law, he brings an exceptionally deep well of professional experience to his work. In particular, he understands risk profiles, leverage, and the strategies clients can implement to manage risk. In addition, he has extensive experience handling complex project closeout issues and resolving lien, bond, warranty, and defective work claims so that all parties can obtain closure at the end of a project.

Travis is married with two children. In his free time, Travis works in one (or all) of his three gardens with his girls and hunts and fishes when he can. Which is not often enough.

REPRESENTATIVE EXPERIENCE

- Drafted and negotiated NDAs for EPC contractor.
- Drafted Master Subcontract Agreement for EPC Contractor for use in clean energy projects.
- Represented university system against \$21M delay claim made by general contractor on new campus project resulting in favorable settlement for university.
- Litigated \$90M dispute for EPC contractor involving chemical plant and reached successful settlement and resolution of claims by subcontractors.
- Managed lien, bond claim, warranty, and punch list closeout dispute on a multi-family project.

- Managed the closeout of a multimillion-dollar sports complex and student union building for an institute of higher education.
- Negotiated EPC contract on behalf of EPC contractor concerning \$700MM Biomass project, including all subcontract templates, purchase orders, and applicable flow-downs.
- Negotiated EPC contract on behalf of EPC contractor concerning a power generation plant.
- Negotiated EPC contract on behalf of EPC contractor concerning a steam power plant.
- Negotiated EPC contract on behalf of EPC contractor concerning the design and construction of a large pump station.
- Represented EPC contractor in payment dispute with owner over power plant project in Central Texas.
- Represented multiple municipally owned utility and electric cooperatives in a group of related breach-of-contract suits against an electric utility provider. All cases were resolved by an agreement.
- Litigated \$45M dispute for EPC contractor involving solar project in West Texas.

PRESENTATIONS & PUBLICATIONS

- Termination in the Closeout Context
Presented at Allensworth Tacos & Teach CLE Series (October 2023)
- Handling Liens in the Project Closeout Context
Presented at Allensworth Tacos & Teach CLE Series (August 2023)
- The 2021 Amendments to the Texas Property Code
Co-presented at Allensworth Tacos & Teach CLE Series (December 2021)
- Responding to a Problem Project without Making Things Worse
Build On: The Construction Seminar for Construction Experts (September 2018)
- Understanding Construction/Contract Administration
Presentation for HalfMoon Seminars, LLC (February 2018)
- Case Study: Port of Houston/Zachry Contract
Presented to the Construction Industry Institute Executive Leadership Program, The University of Texas at Austin (January 2017)
- Payment and Performance Bonds on Public Projects
Presentation for HalfMoon Seminars, LLC: Construction Law for Public Projects (August 2016)
- Recent Developments in Construction Law
Presented to the AACEI Central Texas Section Meeting (November 2012)

- Payment and Managing the Project
Presentation for HalfMoon Seminars, LLC: Legal Issues for Texas Professional Engineers (September 2012)
- Selecting and Procuring Services
Panel presentation at the Leadership in the Capital Projects Forum (April 2012)
- No Contract, No Fear . . . *Quantum Meruit* is Here
Construction News (June 2011)
- When “Pay-if-Paid” Means “Not Going to Get Paid”
Construction News (May 2011)
- Managing the Project
Presentation for HalfMoon Seminars, LLC: Minimizing Engineering Liability Exposure (February 2011)
- Building Information Modeling
In Shared Design 4-1 (Michael T. Callahan ed., 2011)
- Paving the Way: TxDOT’s Contract Claims Process
Construction News (July 2010)
- Bid Issues – What Every Subcontractor Needs to Know
Construction News (December 2009)
- An Introduction to Building Information Modeling
27 Construction Law. 33 (2007)
- Claims before the State Office of Administrative Hearings
Presentation for HalfMoon Seminars, LLC: Texas Construction Law for Engineers & Contractors (October 2007)
- Construction Law Update
Presented to the State Bar of Texas 19th Annual Construction Law Conference (March 2006)

INDUSTRY INVOLVEMENT

- State Bar of Texas, Construction Law Section | Member (2005-Present)
- Austin Bar Association, Construction Law Section | Member (Present); Chairman (2012-2013); Vice-Chair (2011-2012); Secretary/Treasurer (2010-2011)
- Austin Bar Association | Breakfast with the Judiciary, Sub-committee Chair (2012-2013)
- RBI Austin | Board of Advisors (2009-2020)

AWARDS

Best Lawyers by BL Rankings

- “Lawyer of the Year” Construction Law – Austin, Texas (2021)
- Construction Law – Austin, Texas (2015-2024)
- Litigation: Construction – Austin, Texas (2024)

Super Lawyers by Thompson Reuters

- Texas Super Lawyers (2019-2024)
- Rising Stars – Texas Construction Litigation (2009-2011, 2014-2019)