

## Project Finance

### ATTORNEYS

- Paul R. Cortés-Rexach  
(Practice Leader)
- Salvador F. Casellas
- Jorge M. Ruiz-Montilla
- Silvestre M. Miranda
- Jorge J. Rexach-Vaquer
- Yormari Acosta-González
- Ricardo J. García-Negrón
- Nathalia C. Rivera-Smith

### RELATED PRACTICE AREAS

- Infrastructure/Public-Private Partnerships

As members of Puerto Rico's preeminent full-service law firm, McConnell Valdés Real Estate & Finance lawyers have participated in the financing of all of the recent major hotel and resort projects in Puerto Rico, as well as in the island's first significant time-share program and the island's first condohotel project under the Puerto Rico Condohotel Act. Likewise, our team members have been involved in the financing of public-private partnerships and a significant number of major commercial developments.

The unparalleled track record of our self-standing Project Finance team is the result of our ability to provide strategic counsel on every aspect of highly sophisticated and highly visible hotel, resort, infrastructure, commercial, and residential development deals. We are top-ranked by *Chambers & Partners Latin America*, which applauds our ability to handle "some of the most sophisticated work in the real estate area."

Many of the world's leading infrastructure, commercial, hotel and resort companies, as well as prominent local developers, look to us for targeted, tactical business and legal advice in financing their prestigious projects. On complex financings, our comprehensive counsel extends from deal structuring to regulatory compliance, to the drafting and negotiation of documentation that is customized to meet individual project needs.

Working together with firm colleagues, we help clients establish joint ventures and strategic alliances to support and advance their goals.

Our clients benefit from our team's unique perspective. A number of our team members are named Leading Lawyers by *Chambers and Partners* in both its Latin America and Global Guides and are among *The Best Lawyers in Puerto Rico 2016*.

### What We Do

Our Project Finance Practice Team advises real estate clients on all aspects of their development projects, including:

- Project structuring
- Project financing
- Drafting and negotiating the full spectrum of project agreements

- Government regulations and permits
- Engineering, construction, and procurement contracts
- Operation and maintenance agreements
- Loan agreements
- Joint ventures and strategic alliances

### **REPRESENTATIVE CLIENTS & MATTERS**

- Participated in the financing and development of the Teodoro Moscoso Bridge –built as Puerto Rico’s and the USA’s first public-private partnership.
- Represented Aerostar Airport Holdings, the operator of the Luis Muñoz Marin International Airport, which was the second public-private partnership established under the P3 Act.
- Acted as Puerto Rico counsel to Metropistas, a consortium comprised of abertis Infraestructuras and two Goldman Sachs-sponsored infrastructure funds, which was awarded a forty-year concession to operate and maintain two major Puerto Rico toll roads
- Served as developer's counsel in the acquisition, financing and development of a 100mw wind energy project in Santa Isabel, Puerto Rico – the largest renewable energy project to date in Puerto Rico and the Caribbean. Development and financing estimated at \$209 million.
- Acted as Puerto Rico counsel to Gestamp in its Punta Lima Wind Farm’s \$85 million Sale and Leaseback Transaction with Sovereign Bank.
- Purchaser and borrowers counsel for the acquisition and rehabilitation of the Marriott San Juan and Stellaris Casino. FirstBank Puerto Rico was the lender.
- Lenders counsel for the construction financing of the Sheraton Hotel at the Puerto Rico Convention Center District. FirstBank was the lender.
- Acted as purchaser/borrowers counsel in the \$72,000,000 purchase of the Gran Melia Hotel and Vacation Club and the major renovation of the hotel under the Hyatt Grand Regency brand. OCH-Z1FF was the lender for the transaction.
- Purchaser and borrowers counsel in the purchase of Puerto Rico's largest portfolio of commercial warehouses by a Monarch Alternative Capital and Taconic Capital’s joint venture financed by Ladder Capital.
- Borrowers counsel for the renovation of the former Martineau Bay Hotel and rebranding as a W Retreat and Spa in Vieques, Puerto Rico. Banco Sabadel was the lender.

- Borrowers counsel for the construction of the iconic Ritz Carleton Reserve at Dorado, Puerto Rico. UBS Puerto Rico was the lender.
- Borrowers counsel for the construction of Distrito T-Mobile, an urban entertainment center, and ALOFT Hotel at the Puerto Rico Convention Center District. Banco Popular and Oriental Bank were the lenders.
- Borrowers counsel for the construction, financing and re-financing of four Hyatt limited-service hotels and two casinos. Banco Popular and Oriental Bank were the lenders.
- Acted as bond counsel in the public offering of \$59,649,744.50 Puerto Rico Industrial, Tourist, Educational, Medical and Environmental Control Facilities Financing Authority (AFICA) Industrial Revenue Refunding Bonds, 2011 Series A (Galería Tower at San Patricio Project). Bonds issued to refinance construction debt of an office tower, shopping center and mixed retail/office mall.
- Advised and assisted client on a refinancing and recapitalization plan for the Ponce Hilton Hotel which resulted in large savings for the client. During this transaction, we served as counsel in the repurchase of AFICA Bonds (Tourism Revenue Refunding Bonds, 2006 Series A), which at the time had an outstanding par amount of \$47 million (US Dollars). The transaction encompassed advising the client with securities regulations matters related to the repurchase of the Bonds and serving as Borrowers Counsel in 3 Credit Facilities in connection to an Asset Based Loan, Securities Based Loan, and Real Estate Loan. Currently, there are no AFICA Bonds outstanding to date.
- Act as seller's counsel in connection with the sale of two hospitals in Puerto Rico and the redemption and repayment of outstanding AFICA Bonds (Tourism Revenue Refunding Bonds, 1999 Series A), which at the time had an outstanding par amount of \$17.11 million (US Dollars). The transaction encompassed advising the client with corporate, real estate, health regulatory and environmental matters, as well as with securities regulations matters related to the redemption of the Bonds originally issued to purchase and develop one of the hospitals being sold.
- Borrowers counsel for the AFICA construction financing for the Ritz Carleton Hotel in Isla Verde.
- Borrowers counsel for the AFICA construction financing for the Hampton Inn Hotel & Suites in Isla Verde.