



David M.R. White

Partner

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Expertise

Corporate
Capital Markets and Securities
Finance
Infrastructure

Bar Admissions

Ontario, 2000

“Very knowledgeable and very thorough.”

Market Commentator – *Chambers Global*

David uses his deep understanding of the evolving public-private partnership sector to provide clients with clear and detailed solutions. They appreciate David’s ability to tackle complex concepts and translate them into workable, practical arrangements.

David advises Canadian and cross-border investors and industry leaders in design and construction on a wide range of P3 transactions, including project financing, contracts with public authorities and construction and service subcontracts, in sectors as diverse as healthcare, transit, energy and wastewater. Clients also regularly consult him for his experience with senior and mezzanine debt investments and structured finance.

REPRESENTATIVE WORK

Ontario Transit Group

Acted for Ontario Transit Group, a consortium led by Ferrovial and Vinci, on its bid for the design, build and financing of the Ontario Line Southern Civil, Stations and Tunnel project. The Southern Civil project is one of three PPP contracts to deliver the Ontario Line.

DIF Capital Partners and Valley Fiber Limited

Acted as lead transaction counsel to DIF Capital Partners and Valley Fiber Ltd. in their investment together with Canada Infrastructure Bank in the \$328-million Manitoba Fibre project, which involves the construction of 2,657 kilometres of mainline fibreoptic cabling, targeting 48,500 underserved households with dedicated fibre-to-the-home.

Enwave Energy Corporation

Acted for Enwave Energy Corporation as the successful proponent for Syracuse University’s steam station operations project. Along with serving Syracuse University, the Steam Station serves the State University of New York College of Environmental Science and Forestry, SUNY Upstate Medical University, Syracuse VA Medical Center and Crouse Irving Memorial Hospital.

Alstom Transport Canada Inc.

Acted for Alstom Transport Canada Inc. in its role as maintenance subcontractor for the light rail extension to the Confederation Line, which is the first stage of the new light rail transit system in Ottawa, Ontario.

LA Gateway Partners

Acted for LA Gateway Partners in its approximately US\$2-billion contract to design, build, finance, operate and maintain the Los Angeles International Airport (LAX) Consolidated Rent-A-Car Facility (ConRAC) development project. The development of the new facility will consolidate the operations of rental car agencies at LAX, which are currently spread across 23 separate properties surrounding the airport. Comprising 5.3 million square feet, the LAX ConRAC will be the largest ConRAC facility ever built.

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Oakland Corridor Partners

Acted as transaction counsel to Oakland Corridor Partners team, comprising John Laing Investments Limited, AECOM Capital, Inc., Jay Dee Contractors, Inc., Ajax Paving Industries, Inc., Dan's Excavating, Inc. and C.A. Hull, in its winning bid for the design, build, financing and maintenance of the third and final segment of the I-75 Modernization Project in Michigan.

Alstom Transport Canada Inc.

Acting for Alstom Transport Canada Inc. in its role as lead member of a consortium that is providing rolling stock, signalling services and operation and maintenance services, as part of the construction and operation of a new automated light rail transit system in the Greater Montréal Area. This \$6.3-billion infrastructure project (its original estimated cost) is the largest public transit project undertaken in the Province of Québec in the last 50 years.

Acciona-Led Consortium

Acted as transaction counsel for a consortium comprised of Acciona Agua S.A., Acciona Agua Internacional, S.L. and Acciona Infrastructure Canada Inc., in its winning bid of \$525 million for the design, build and finance of the Lions Gate Wastewater Treatment Plant project. Davies acted as lead transaction counsel for the consortium, including in the negotiation of the project documents with the Greater Vancouver Sewerage & Drainage District, the design-build documentation with the design-build contractor and the financing agreements with the lenders.

Etobicoke Healthcare Partnership LP (Axiom Infrastructure Inc. and DIF Management Canada Ltd.)

Acted as transaction counsel for Etobicoke Healthcare Partnership LP (EHP) in its winning bid for the approximately \$330-million design, build, finance, operation and maintenance of the Etobicoke General Hospital Phase 1 Patient Tower Project. Funds managed by Axiom Infrastructure Inc. and DIF Management Canada Ltd. are equity sponsors of EHP. Davies acted as lead transaction counsel for the consortium, including in the negotiation of the project documents with Infrastructure Ontario and William Osler Health System, the design-build documentation with the construction contractor, the operation and maintenance documentation with the service provider and the financing agreements with the lenders, as well as the shareholder arrangements between the equity investors.

TransEd Partners consortium

Acted for the TransEd Partners consortium, comprised of Fengate Capital Management Ltd., Bechtel Development Company, Inc., EllisDon Capital Inc. and Bombardier Transportation Canada Inc., in its winning bid in excess of \$1.8 billion for the design, build, finance, operation and maintenance of the City of Edmonton's Valley Line Light Rail Transit Project, which is the city's first public-private partnership project. The Valley Line is the largest single infrastructure project in Edmonton's history. Davies acted as lead transaction counsel for the consortium, including in the negotiation of the project documents with the City of Edmonton, the design-build documentation with the design-build contractor (which includes vehicles on this project), the operation and maintenance documentation with the O&M contractor and the financing agreements with the lenders, as well as the shareholder arrangements between the equity investors. The financing included \$394-million senior long-term amortizing bonds with final

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maturity date of September 30, 2050 and a \$200-million senior construction period credit facility.

RECOGNITIONS

Lexpert Special Edition: Infrastructure

The Canadian Legal Lexpert Directory—Corporate Commercial Law

The Best Lawyers in Canada—Banking and Finance Law; Corporate Law; Project Finance Law; Securities Law

Expert Guides—Structured Finance and Securitisation

EDUCATION

McGill University, BCL/LLB, 1998

University of Toronto, BA (Hons) (English), 1994

PROFESSIONAL AFFILIATIONS

Construction Lawyers Society of America, fellow