Construction Disputes

Whether you are pursuing a lien claim, dealing with a tendering dispute, construction delays, unanticipated project conditions, cost overruns, deficient construction or inadequate design, having an experienced team of construction lawyers with an in-depth understanding of the construction industry is crucial.

Our team of construction lawyers is one of the most highly regarded in the country for handling construction disputes.

Our lawyers assist clients in resolving a myriad of construction disputes, including complex, multi-party and multi-jurisdictional disputes, through litigation, arbitration and alternative dispute resolution. Our experience allows us to anticipate and identify risks early, and to provide cost-effective and innovative solutions.

Our lawyers are qualified to practice in British Columbia, Alberta, Saskatchewan, Manitoba, Ontario Quebec and Nunavut, giving our team the unique ability to work with clients across the country, better understand their businesses and provide consistent service.

We are strong, diligent and passionate advocates with a reputation for our balanced, decisive and sophisticated approach to resolving disputes.

We work with owners, general contractors, architects, engineering firms, subcontractors and sureties.

Experience

- Defended a Canadian Joint Venture against a $1.1 billion arbitration that arose after the successful construction of a mineral processing facility in Saskatchewan.
- Acted as counsel for the general contractor and its sureties in the Seymour Capilano Twin Tunnels Project in Vancouver, pursuing and defending complex tunneling engineering and geotechnical claims and claims of builders lien (project value $400+ million).
- Counsel for Parkway Infrastructure Constructors with respect to a $140 million claim against contractors, engineers and insurers arising from the rejection of hundreds of defective concrete girders on the Herb Grey Parkway project in Ontario. The multiple lawsuits were successfully resolved by way of a confidential settlement.
- A ruling obtained from an international arbitration tribunal (Geneva) granting in full the compensation claim filed by a Canadian engineering firm against a public corporation based in Europe.
- *Construction Polaris Inc. v. Hydro-Québec*: The contractor, who was denied a receipt in full discharge, was awarded fair compensation for additional costs incurred with regards to a major construction site.

This ruling, upheld on appeal, was one of the first to annul a release (transaction) for defect of consent resulting from economic violence.

- Project counsel for the Construction Manager of the TELUS Sky Project in Calgary, Alberta.
- Counsel for a design-build contractor in a dispute arising out of the design and construction of a highway infrastructure project in Alberta.
- Counsel for an international engineering company in a dispute arising out of the design and construction of an oilsands production facility.

BLG | Canada's Law Firm

As the largest, truly full-service Canadian law firm, Borden Ladner Gervais LLP (BLG) delivers practical legal advice for domestic and international clients across more practices and industries than any Canadian firm. With over 800 lawyers, intellectual property agents and other professionals, BLG serves the legal needs of businesses and institutions across Canada and beyond – from M&A and capital markets, to disputes, financing, and trademark & patent registration.

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