



Construction

Stikeman Elliott's Construction Group assists clients in structuring, preparing and negotiating significant construction contracts and supports them throughout the entire process, as well as through complex construction litigation files. Our in-depth experience allows us to determine when a client will be best served with an industry-standard contract and when a project needs a tailor-made solution.

We represent clients involved in large-scale projects in the real estate, energy, renewables, mining, infrastructure and other sectors, across Canada and around the world. Furthermore, Stikeman Elliott acts for all private-sector stakeholder groups, including construction project lenders, investors, guarantors, insurers, and consultants, as well as public sector entities, municipalities, and other levels of government with respect to complex redevelopment, infrastructure and public-private partnership projects.

This multi-disciplinary team includes construction litigators who are experts in the strategic management of litigation risk. Working from offices across Canada, our litigators have played key roles in several important cases in the construction industry, including before the Supreme Court of Canada. When regulatory questions arise, our team has an in-depth understanding of the legislative frameworks that govern the construction sector at both the federal and provincial levels.

Our Expertise

- Autorité des marchés financiers (Québec)
- Canadian Construction Documents Committee (CCDC) contracts and supplementary conditions
- Construction financing
- Construction liens
- Construction litigation
- Contract drafting, review and negotiation
- Engineering Procurement & Construction Management (EPCM)
- Régie du bâtiment (Québec)
- Requests for qualifications and requests for proposals (sponsors and proponents)

Accolades

- Corporate Law Firm of the Year - *Chambers Canada Awards 2017*

Recent Work

- SNC-Lavalin Inc. in connection with a dispute with ArcelorMittal Mines Canada Inc. relating to the performance by SNC-Lavalin of an engineering, procurement and construction management contract in connection with ArcelorMittal's Mount-Wright iron ore mine expansion project in Northern Quebec.

- Alstom Grid (now GE), and its insurer Axa/Intact with respect to losses sustained in connection with the work performed under a contract entered into with RioTintoAlcan for the supply and installation of the sub-station of RTA's new technology AP60 Aluminium Smelter in Arvida.
- *Construction Cériko Asselin Lombardi Inc. v. Bombardier Inc.*: Representing Bombardier Inc. in its defense against an action instituted by the plaintiff for alleged delays, additional costs and impact costs related to the CSeries plant construction project in Mirabel, Quebec.
- ConocoPhillips Canada in its C\$30M litigation involving design and construction of road culverts and related earthworks for the Surmont Oil Sands Project.
- A major residential property developer in connection with a C\$15M alleged deficiency action commenced by the syndicate of co-ownership.
- Catapult Environmental Inc. in its litigation with Dragos regarding the design and construction of a waste water disposal facility in northern Alberta.
- Mariani Metals in its C\$20M litigation with Centre Street Trust involving the delays and other claims relating to the construction of The Bow building in Calgary.
- Bellatrix Exploration in litigation with Yangarra Resources regarding construction, ownership and operation of the Baptiste Lake 6-21 processing facility and related wells and pipelines.
- Chubb Limited as defence counsel defending property and delay in start-up claims claimed under a Construction all risks policy clause with respect to the refurbishment of a nuclear power station.
- *Ville de Sherbrooke v. Sherax Immobilier Inc.*, Québec Superior Court (ongoing): Representing the developer and project manager in its defense against allegations of latent defects and poor workmanship as well as in a multi-million dollar lawsuit instituted against Ville de Sherbrooke for misrepresentations in the context of a call for tender process carried out by the City.
- *Corporate Assets Inc. et al v. 9214-6463 LP et al* - acting for the plaintiff in a major case of fraud and abuse of rights (C\$20M+) in the context of a tendering process.