

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

- A design-build contractor in a \$150 million complex arbitration regarding the design and construction of an Alberta highway infrastructure project. The arbitration involves numerous design and construction claims, as well as a significant schedule impact claim.
- A large North American contractor, the construction manager for a new Alberta hospital. There have been numerous design changes and budget increases, and both the contractor and owner claim to have terminated the contract. Currently, the claims and counterclaims amount to more than \$135 million, with further claims anticipated from a number of subcontractors.
- A large North American construction company in a multi-party dispute coming from the construction of two thickener tanks at the Horizon Oil Sands Project in Fort McMurray. Both parties allege the other is responsible for the failure of supporting walls, which caused damage to the tanks and delayed the project. The parties claim to have incurred losses of \$70 million and \$20 million, respectively.
- A Canadian EPC contractor, defending against a \$1.1 billion arbitration following the successful construction of an industrial facility.

- An international EPC contractor in a highly technical dispute related to the design and construction of a large carbon capture plant. We acted as counsel for the contractor in arbitration, prosecuted claims against the owner, and defended counterclaims, in the total amount of \$350 million.
- Client in a complex engineering claim regarding the design and fabrication of a safety valve used in a highly hazardous decoking operation in the Canadian oil sands. Our client performed preliminary engineering. The claim has a business interruption component of about \$800 million.
- Clients in disputes regarding rights to install and maintain utilities and services on rail corridors, and negotiating related agreements.

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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