



2019 Construction Adjudication Symposium

Significant Change - Time for Alignment

Wednesday, May 29, 2019

Vantages Venues, 150 King Street West, 16th Floor, Toronto, Canada

Programme

Morning Session

Background & Changes

Session Chair: Geza R. Banfai, Counsel, McMillan LLP

8:00 a.m. to 8:30 a.m.

Registration and Breakfast

8:30 a.m. to 8:35 a.m.

Opening Remarks: Dr. Paul Tichauer, Chair, CI Arb Canada Branch

8:35 a.m. to 9:15 a.m.

Prompt Payment Reforms Gather Momentum Across Canada

- *Background on Canadian Reforms*
- *Ontario & Other Canadian Jurisdictions*
- *Public Contracts & Federal Government*
- *Engagement Process & Timelines*

Speakers:

Sharon C. Vogel, Singleton Urquhart Reynolds Vogel LLP
Brendan D. Bowles, Partner, Glaholt LLP

9:15 a.m. to 9:45 a.m.

Worldwide Trend Towards Prompt Payment & Adjudication

- *UK Background, Latham, Enforcement & Macob*
- *UK Statistics from 20 years (Issues & Outcomes)*
- *International Experience & Perception*
- *International Lessons Learned & Improvements*

Speaker:

Dr. John Fletcher, Head of the RICS Dispute Resolution Service, RICS

9:45 a.m. to 10:00 a.m.

Networking Break

10:00 a.m. to 10:40 a.m.

Implications of Prompt Payment for Construction

- *Owners & Developers*
- *Main Contractors & Trade Contractors*
- *Suppliers & Service Providers*
- *Insurers & Financiers*

Speakers: **Sandra Astolfo**, Partner, WeirFoulds LLP
Matthew Alter, Partner, Cassels Brock & Blackwell LLP

- 10:40 a.m. to 11:10 a.m. **Construction Disputes & “Nuts & Bolts” of Adjudication**
- *Payment Requests & Format*
 - *Adjustments to Payments & Notices*
 - *Resolving Differences & the Authorized Nominating Authority*
 - *Outcomes & Options*

Speaker: **Howard Wise**, Goodmans LLP

- 11:10 a.m. to 12:00 p.m. **Moderated Panel**
Significance of Prompt Payment & Adjudication Reforms

Moderator: **Marcia J. Oliver**, Advocates LLP

Panel consisting of:

- *Chair of Morning Session: **Geza R. Banfai**, Counsel, McMillan LLP*
- **Andrew Heal**, Partner, Heal & Co. LLP
- **Raymond Bassett**, VP & Chief Underwriting Officer, Travelers
- **Clive Thurston**, President, Ontario General Contractors Association (OGCA)

Afternoon Session

Compliance & Implementation

Session Chair: Glenn W. Ackerley, Partner & Chair of the Construction Practice Group, WeirFoulds LLP

- 12:00 p.m. to 1:20 p.m. **Lunch & Presentation**

12:30 p.m. to 12:50 p.m. - **The “Right Stuff” & the Adjudicator**

Speaker: **Bruce Reynolds**, Partner, Singleton Urquhart Reynolds Vogel LLP

- 1:20 p.m. to 2:00 p.m. **Interaction between Lien Provisions & Adjudication**
- *Previous Practices & Outcomes*
 - *Requirements of the Act*
 - *Interactions between Liens & Adjudication*
 - *Preparing for the Changes*

Speaker: **Howard Krupat**, DLA Piper (Canada) LLP
Kenneth W. Movat, Partner, Fogler Rubinoff LLP

- 2:00 p.m. to 2:30 p.m. **P3’s, Disputes & Adjudication**
- *Relevance of P3’s*
 - *Current Practices & Disputes*
 - *Requirements of the Act*
 - *Independent Certifiers & Resolving Disputes*

Speaker(s): *Public Sector representatives/bodies*

2:30 p.m. to 2:50 p.m.

Networking Break

2:50 p.m. to 3:30 p.m.

Challenges for Adjudication

- *Timing, Process & Adjudicators*
- *Preparation & Launch & Challenges by the Parties*
- *Working with the Authorized Nominating Authority*
- *Interaction with the Adjudicator*

Speaker: **Yonni Fushman**, EVP, Chief Legal Officer & Secretary, Aecon Group
Christopher Moran, Director, EllisDon Capital at EllisDon

3:30 p.m. to 4:00 p.m.

Preparing to Comply

- *Owners & Developers*
- *Main Contractors & Trade Contractors*
- *Suppliers & Service Providers*
- *The Keys & Measures of Success*

Speaker: **Matt Ainley**, Chair, General Contractors Alliance of Canada (GCAC)
John Moldenhauer, President & CEO, Toronto Construction Association (TCA)

4:00 p.m. to 5:00 p.m.

Moderated Panel

Implications of Prompt Payment & Adjudication

Moderator: **Richard Wong**, Partner and Chair, Osler, Hoskin & Harcourt LLP

Panel consisting of:

- *Chair of Afternoon Session: **Glenn W. Ackerley**, Partner & Chair of the Construction Practice Group, WeirFoulds LLP*
- **Emilio Bisceglia**, Bisceglia & Associates
- **Sandra Skivsky**, Chair, National Trade contractors Coalition of Canada
- **Paul Raboud**, Chair, Ontario General Contractors Association (OGCA)

5:00 p.m. to 5:10 p.m.

Closing Remarks: **John Hughes**, Immediate Past President, RICS Global

5:30 p.m. to 8:00 p.m.

Reception & Dinner: *Special Guest Speaker* (to be announced)

Note: To reflect the dynamic nature of the topic, this Programme (including presentation headings and content) is subject to update and change to reflect speaker availability and desired Speaker thematic at the time of the Symposium.