

Infrastructure/P3

With Canada's federal and provincial governments promising to invest heavily in infrastructure and create a specialized infrastructure bank, there are unprecedented opportunities for organizations to develop new infrastructure projects and revitalize existing ones. In this dynamic environment, it is essential to engage experienced legal counsel who can help you navigate the existing and new rules of engagement.

WeirFoulds has participated in some of the most important infrastructure and public-private partnership (P3) projects in the country. We have acted for public and private sector clients on rapid transit, ports, sports centres, water treatment plants, urban revitalization and Brownfields projects.

We have an extensive and successful history of executing highly complex infrastructure, project finance, restructuring and regulatory transactions in a wide range of sectors and markets. We act as counsel to all manner of infrastructure industry participants and have extensive experience in negotiating government funding and private financing arrangements, and have expertise in all of the core practice areas of construction, including property development and land use planning, public law and expropriation.

We take a multi-disciplinary approach to our files, engaging our corporate, commercial, construction, banking, real estate, municipal, environmental and Aboriginal law experts as necessary to ensure our clients receive excellent advice that is tailored to their needs.

Lawyers and professionals in this area



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Areas of Expertise

- Aboriginal law
- Banking
- Commercial
- Construction law
- Corporate
- Environmental approvals
- Expropriation
- Land use planning

- Municipal law
- Public-private partnerships
- Project finance
- Property development
- Public law
- Tax

Representative Experience

We have significant expertise in advising owners and consultants on all aspects of procurement processes and policies, including formal tenders and requests for proposals. We can:

- Assist in the preparation of a call for tenders, including the instructions to bidders and forms of tender.
- assist in the preparation of a proposal call, including the Request for Proposal document.
- Advise on compliance and fairness issues throughout the process.
- Advise bidders on their rights if they are unsuccessful in the bidding process.
- Represent a tenderer in responding to a request for tenders.
- Assist clients in preparing or responding to a request for qualifications.
- Acted for The Regional Municipality of York ("York Region") and its wholly owned Municipal Service Corporation ("YRRTC") in all aspects of the Vaughan Metropolitan Centre (VMC) transit hub project, which is part of York Region's award winning Viva Rapid Transit Program.
- Acted for York region since 2002 on its Viva Rapid Transit Project, including procurement advice, project structuring advice, numerous design-build agreements, operation and management agreements and negotiating and drafting agreements for funding arrangements with senior government, Metrolinx and Infrastructure Ontario.
- Advising on all aspects of the municipal infrastructure project concerning the downtown sports and entertainment centre (now the Tribute Community Centre) for the City of Oshawa, including the design-build, finance and operations aspects of this project. As well, advised in complex litigation and arbitration of significant disputes concerning revenue sharing and operational rights and obligations between City and the major hockey team tenant of the facility.
- Acquisition by agreement or by expropriation on behalf of York Region of numerous properties for construction of Spadina Subway extension and widening of Highway 7. Drafted agreements to allow for development at three subway stations in York Region. Drafted numerous Design-Build Agreements for construction of rapid transit corridors.
- Advised on all aspects of the design, build and operation of a proposed municipal infrastructure project, being the proposed downtown Thunder Bay Sports and Entertainment and Convention Centre. Drafted Significant design-build agreement, operations and management agreement, and facility license and lease agreement. This was a high profile urban renewal project for the City of Thunder Bay.
- Advised Brampton regarding Light Rail Rapid Transit Line on Hurontario Street, being funded by Metrolinx. Project runs through Mississauga and Brampton. We advised on the Memorandum of Understanding and we will be advising on the Master Agreement, Project Agreement, property acquisitions (expropriation or voluntary transfers) and municipal authority.
- Advised Wood-Buffalo on a Memorandum of Understanding with proponents, proposed terms of Design-Build and Operation and Management Agreements, transaction structuring issues, and municipal authority issues.
- Advised Canada Lands Company regarding a Management Services Agreement with Global Spectrum Facility Management L.P. for the management and programming by Global Spectrum of the Festival Theatre, the Meadow, the Circuit Path, Studio 3 and the Parking Arcade at Downsview Park, in Toronto.
- Advised the City of London on its award winning John Labatt Centre (now Budweiser Gardens), including negotiating and drafting a ground lease, construction agreement, financing agreement, Municipal capital facilities agreement and operation and management agreement.



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