

Sharon Vogel FCI Arb

Partner

PROFESSIONAL BACKGROUND

Sharon Vogel is a Partner and Co-Chair of Singleton Urquhart Reynolds Vogel LLP's Construction and Infrastructure Law practice group.

Her construction practice primarily involves construction disputes relating to large-scale infrastructure, industrial, and commercial projects including highways, railways, light rail, tunnels, pipelines, mines, industrial facilities, hospitals, manufacturing plants, treatment plants, commercial buildings and condominiums in various jurisdictions.

She specializes in the negotiation, mediation, arbitration and litigation of construction disputes, including construction liens, breach of contract, breach of trust, delays, surety bonds, construction insurance, and architects' and engineers' errors and omissions. She also has extensive experience drafting construction contracts on behalf of owners, developers, general contractors, subcontractors, and suppliers.

She has appeared at all levels of court, including the Ontario Superior Court, Court of Appeal and the Supreme Court of Canada.

Public Policy

Sharon acted as co-counsel for the Ontario Government in conducting a review of Ontario's Construction Lien Act and prepared a report, *Striking the Balance: Expert Review of the Construction Lien Act*. She and Bruce Reynolds then worked closely with the Ministry of the Attorney General in drafting The New Construction Act which included 98 out of the 101 recommendations presented in their report. This Act introduced prompt payment and adjudication.

She was also retained as co-counsel by the federal government to provide recommendations on prompt payment and adjudication, which included engaging with industry stakeholders across Canada. The movement towards prompt payment and adjudication is a significant public policy development for the construction industry.

RANKINGS + RECOGNITION

- Recognized in *Who's Who Legal* — The International Who's Who of Construction Lawyers as one of the top five construction lawyers in Canada.
- Recognized in *Chambers Canada* – Canada's Leading Lawyers for Business (Construction).
- Recognized in *The Canadian Legal Lexpert® Directory* (Construction Law), Most frequently recommended.
- Recognized in the *Lexpert® American Lawyer Guide* as one of the leading 500 lawyers in Canada (Construction Law).
- Recognized as a leading infrastructure lawyer in the *Lexpert® Special Edition on Infrastructure*.
- Ranked in the area of Construction Law by *Best Lawyers®* in Canada from 2014 – 2019.
- Recognized in *Legal Media Group's Guide to the World's Leading Women in Business Law*.
- *Martindale-Hubbell® AV® Preeminent™* 4.6 out of 5 Peer Review Rated.
- Recognized in *Benchmark Canada* — The Definitive Guide to Canada's Leading Litigation Firms & Attorneys as a "Litigation Star"



Construction and Infrastructure Law
Insurance
Public Policy
Alternative Dispute Resolution
Professional Liability
Domestic and International Arbitration

(416) 585-8602

svogel@singleton.com

EDUCATION

- Bar Admission, Ontario, 1993
- LL.M, University of Auckland, New Zealand, 1996
- LL.B, University of Toronto, 1991
- BA, McMaster University, 1988

MEMBERSHIPS

- Fellow, Canadian College of Construction Lawyers
- Fellow, Chartered Institute of Arbitrators
- Certified Specialist in Construction Law, Law Society of Upper Canada
- Member, International Bar Association, International Construction Projects Group
- Member, The Advocates' Society
- Member, Canadian Association of Women in Construction

EXPERIENCE

- Representing owners and general contractors in dispute resolution including mediation, arbitration and litigation.
- Drafting and negotiating various forms of construction contracts on behalf of owners, developers, general contractors, subcontractors and suppliers.
- Representing surety bonding companies, including in relation to performance bond claims and labour and material payment bond claims.
- Advising construction clients in respect of construction projects in Canada's North.
- Managing complex construction cases involving multiple parties and large volumes of documents, including:
 - Counsel to a general contractor in respect of a CDN\$500 Million direct strip production complex, defending 56 Claims for Lien aggregating in excess of CDN\$80 Million.
 - Counsel to an EPCM Project Manager in a CDN\$300 Million mining dispute.
 - Counsel to a joint venture design-builder in respect of its CDN\$200 Million claim in relation to a PPP Highway Project.
 - Counsel to an EPC Contractor for a large hydro-electric project in respect of its CDN\$100 Million cost over-run claim.
 - Counsel to a large institutional owner regarding the CDN\$180 Million claim of its general contractor.
- Counsel to an owner in relation to a dispute over a supply contract valued at over \$800 million.

PUBLICATIONS

Books and Reports

- Co-Author, "Building a Federal Framework for Prompt Payment and Adjudication," prepared for Public Services and Procurement Canada, 2018.
- Co-Author, "Striking the Balance: Expert Review of Ontario's Construction Lien Act," Independent Report to the Ministry of the Attorney General, 2016.
- Co-Author, A Guide to Canadian Construction Insurance Law, Carswell, 2013.
- Author, Chapter: "Construction Insurance," Bullen, Leake & Jacob's Canadian Precedents of Pleadings, Second Edition, 2013.
- Co-Author, Chapter: "Canada," Construction and Infrastructure Disputes (London: Globe Law and Business, 2013).
- Author, Chapter: "Recent Developments in Construction Insurance," Review of Construction Law: Recent Developments, Carswell, 2012.
- Co-Author, "Getting the Deal Through: Construction 2017," Law Business Research Ltd, 2008-17.
- Co-Author, Doing Business, World Bank 2009-15 (with Bruce Reynolds).

Articles

- Co-Author, "Security of Payment in the Construction Industry: Does International Experience Provide a Crystal Ball for North America?," *Construction Law Journal*, November 22, 2018.
- Co-Author, "I Once Was Lost But Now I'm Found: Ontario Government to Amend the Construction Act via Bill 57, the Restoring Trust, Transparency and Accountability Act," November 16, 2018.
- Co-Author, "A New Construction Act – What Has Changed and How Will It Affect P3 Projects?," *Lexpert® Special Edition on Infrastructure*, September 2018.

- Co-Author, "Still a Little Lost in Transition?: the Construction Act Transition Provisions and the Regulations," August 2, 2018.
- Co-Author, "Duty to Notify Bond Beneficiaries: *Valard Construction v. Bird Construction* 2018 SCC 8," July 19, 2018.
- Co-Author, "Somewhat Lost in Transition?: A Review of the Intent and Operation of the Transition Period in Ontario's Construction Act", May 30, 2018.
- "Co-Author, "Are Construction Defects Covered Property Damage in an Insurance Contract?," Construction Law Letter, Volume 33 no. 5, 2017.
- Co-Author, "Mind the Gap-Professional Liability Insurance and Possible Regulatory Changes to the Standard of Care," Construction Law Letter, Volume 33 no. 3, 2017.
- Co-Author, "Legal Aspects of Building Information Modelling: A World View (Part 1)," CLInt, December 2016.
- Co-Author, "Changing the Legal Landscape of the Interpretation of Builder's Risk Insurance Policies in Canada: Life after Ledcor," Construction Law Letter, November/December 2016.
- Author, "Evolution of Builder's Risk Insurance in Canada: A Brave New World for Resulting Damages," Journal of Canadian College of Construction Lawyers, 2016.
- Co-Author, "Renovating Construction Liens," The Lawyers Weekly, November 18, 2016.
- Co-Author, "No Satisfaction: Limitations of Liability in Condo Deficiency Case," online: Construction and Infrastructure Law Section, Ontario Bar Association, April 2014.
- Author, "Condominium Construction Deficiencies — Buyer Beware," building.ca, February 2014.
- Co-Author, "The Legal Side of Green," ReNew Canada, September 2013.
- Co-Author, "What goes up sometimes comes down hard," The Lawyers Weekly, June 7, 2013.
- Author, "Green building risk: Insuring a green construction project," Skylines, June 2013.
- Author, "Ensuring projects are adequately insured key to project success," Daily Commercial News, April 2013.
- Author, "The "Hired Guns" have been silenced: Courts cracking down on the Admissibility of Expert Reports," Nuts & Bolts, Volume 27, No. 2, February 2013.

Features

- Featured in "A Report on the Introduction of Prompt Payment and Adjudication: Legislation in The Province of Ontario", *International Construction Law Review Journal*, January 21, 2019.
- Interview, Women in Construction and How They're Paving the Way, Osgoode PD Blog, November 2018.
- Featured in "Adjudication justice analyzed at Osgoode Hall session," Daily Commercial News, May 9, 2018.
- "CEO Power Breakfast, Striking a fine balance – The two masterminds behind the Lien Act Review discuss the challenges in balancing freedom of contract with the need for more regulation," Builders' Digest.
- GTA Construction Report, Women in Construction.
- Law Practice Today, Meet the Women Rainmakers!

PRESENTATIONS

- Speaker, "Ethics and Professionalism in Arbitration Advocacy," Advocates' Society ADR Advocacy: Advanced Techniques, December 2018
- Co-chair and Speaker, "Ontario's New Construction Act: Transitioning and Applying the Modernization Provisions," Osgoode Hall Professional Development Program, December 2018
- Co-chair and Speaker, "The New Construction Act: What You Need to Know," Lexpert® Conference, November 2018
- Speaker, "Construction Insurance: Top 5 Things You Need to Know," Osgoode Certificate in Construction law, November 2018
- Panelist, "Counsel Perspectives: How to Best Represent Your Clients," OBA Valuable Strategies for Mediating Multi-Party Disputes, October 2018
- Co-Speaker, "Performance security alternatives and effectiveness: show me the money," International Bar Conference, October 2018.
- Speaker, "Construction 101," OBA/CBA: Construction Bonding and Insurance: A Primer on Construction Risk Management, October 2018
- Panelist, "Security Of Payment In The Construction Industry: Does International Experience Provide A Crystal Ball For North America?," The 8th International Society of Construction Law Conference, Chicago, September 2018

- Speaker, "Construction Act," CISC Steel Conference, Halifax, September 2018
- Podcast, "Construction Law," Lawyered, July 2018
- Speaker, "Innovative Dispute Resolution for Ontario Construction Projects," Society of Construction Law – North America Launch, June 2018
- Speaker, "Hot Topics in Construction Law: Surety Matters," Canadian College of Construction Lawyers (CCCL) 2018 Conference, May-June 2018
- Panelist: "Anti-Corruption and compliance during construction," International Construction Project Committee Working Weekend, International Bar Association, May 2018
- Co-Chair and Speaker, "Adjudication: Fast-Track Interim Binding Resolution of Payment Disputes," Osgoode Conference on Ontario's New Construction Act: Managing the Change, April 2018
- Co-Speaker, "Overview of the Changes," CBA Construction and Infrastructure Law Program – Key Update on the New Construction Act, April 2018
- Co-Speaker, "The How and Who of 'Adjudication'," Canadian Construction Association 100th Annual Conference, March 2018
- Speaker, "Prompt Payment Legislation," Construction Subsection of the Canadian Bar Association, February 2018
- Co-Speaker, "The Effect of a Reservation of Rights on the Control of a Defence," 14th Annual Insurance Symposium – Canadian Defence Lawyers, February 2018
- Co-Speaker, "Ontario Construction Lien Act Reform," 91st Annual ORBA Convention & AGM, February 2018.
- Panelist, "P3 Litigation: Tackling and Resolving Disputes," OBA Construction Law Program, December 2017
- Panelist, "Top Five Issues in Five Areas of Law that Affect Construction," Osgoode Certificate Course, December 2018
- Lecturer, "Legislative Reform of Security of Payment Legislation: A Comparison of the Canadian and Australian Experiences," International Construction Law Module, Melbourne Law School, Masters of Construction Law, October 2017
- Co-Speaker, "Construction Lien Act Review," Canadian College of Construction Lawyers, May 2017
- Speaker, "IPFA Americas: Toronto P3 Disputes Resolution Mechanism," April 2017
- Speaker, "The Dispute Resolution Board – The Alternative Remedy and Tips for Using It," Construction Law: Lien and Arbitration Advocacy, The Advocates' Society, April 2017
- Co-Lecturer, "Dispute Resolution on P3 Projects," Osgoode Certificate in Public Private Partnerships, March 2017
- Speaker, "Construction Lien Act – Report Overview," Ontario Ministry of the Attorney General, September, 2016.
- Co-Speaker, "Infrastructure contract Delivery Models: Differently Shaped Pegs for Differently Shaped Holes," AACE Annual Meeting, June 27, 2016

NEWS + INSIGHTS

- [Singleton Reynolds' Report on Ontario Prompt Payment and Adjudication is featured in the International Construction Law Review Journal](#) - Jan 21, 2019 • Co-authored
- [Fall Economic Statement 2018: Federal Prompt Payment and Adjudication To Be Introduced](#) - Nov 23, 2018 • Co-authored
- [Prompt Payment and Adjudication in Manitoba: The Ontario Approach Adopted](#) - Nov 20, 2018 • Co-authored
- [I Once Was Lost But Now I'm Found: Ontario Government to Amend the Construction Act via Bill 57, the Restoring Trust, Transparency and Accountability Act](#) - Nov 16, 2018 • Co-authored
- [All Roads Lead to Roma: Singleton Reynolds' team attends the 2018 IBA Annual Conference in Rome](#) - Oct 9, 2018 • Co-authored
- [The 8th International Society of Construction Law Conference](#) - Aug 24, 2018 • Co-authored
- [Discretion and Fairness in Contractor Debarment: *Interpaving Limited v City of Greater Sudbury*, 2018 ONSC 3005](#) - Aug 10, 2018 • Co-authored
- [Federal Review on Prompt Payment and Adjudication Now Available](#) - Aug 8, 2018 • Co-authored
- [Duty to Notify Beneficiaries Under a Labour and Material Payment Bond](#) - Jul 19, 2018 • Co-authored
- [Singleton Reynolds' Partner Sharon Vogel Named One of Canada's Top 25 Female Litigators](#) - Jul 17, 2018
- [Ontario's New Construction Act: Key Changes Coming into Force on Canada Day](#) - Jun 29, 2018 • Co-authored
- [Sharon Vogel to present as part of The Osgoode Certificate in Construction Law](#) - Jun 19, 2018

- [Developing Public Policy](#) - Jun 15, 2018 • Co-authored
 - [Somewhat Lost in Transition?](#) - May 30, 2018 • Co-authored
 - [Federal Prompt Payment Stakeholder Engagement Process Extended](#) - Apr 12, 2018 • Co-authored
 - [New Singleton Urquhart Reynolds Vogel LLP partners Bruce Reynolds and Sharon Vogel to lead review of prompt payment and adjudication in the federal context](#) - Mar 1, 2018 • Co-authored
 - [Leading strategies for resolution](#) - Feb 21, 2018 • Co-authored
 - [Sharon Vogel and Bruce Reynolds to present at Osgoode Conference on Ontario's New Construction Act: Managing the Change](#) - Jan 24, 2018 • Co-authored
 - [Sharon Vogel and Bruce Reynolds to present at Canadian Construction Association Annual Conference](#) - Jan 24, 2018 • Co-authored
 - [Sharon Vogel to present to CBA Construction Subsection on Prompt Payment Legislation](#) - Jan 24, 2018
-

COMMUNITY + VOLUNTEERING

- Board Member, Habitat for Humanity
- Rider and Fundraiser, Ride for Heart 2011-2014
- Former Board Member, Youth Challenge International