

Sharon Vogel FCI Arb

Partner

PROFESSIONAL BACKGROUND

Sharon Vogel has been recognized for her success at settling disputes relating to large-scale infrastructure, industrial and commercial projects. Among the many professional acknowledgments she has recently received, she was recognized as one of the 25 most influential lawyers in Canada by *Canadian Lawyer*, *Who's Who Legal* rates her one of the top three construction lawyers in Canada, *Benchmark Litigation* has named her one of the top 25 women in litigation, and she is ranked Band 1 by *Chambers Global*. She is certified as a specialist in construction law by the Law Society of Ontario and is a fellow of the Canadian and American Colleges of Construction Lawyers and the Chartered Institute of Arbitrators.

Sharon is a partner at Singleton Urquhart Reynolds Vogel LLP and co-chairs the firm's construction and infrastructure practice group. Her expertise includes negotiation, mediation, arbitration and litigation of construction disputes, including construction liens, breach of contract, delays, surety bonds, construction insurance, and architects' and engineers' errors and omissions.

She has served as counsel to numerous government agencies, municipalities, private owners, and contractors to successfully manage delays and other legal issues on high-profile transportation, transit, energy, hospitals, mines, manufacturing facilities, water and wastewater, schools, and industrial, commercial, and institutional projects.

Together with her colleague Bruce Reynolds, she has played an important role in helping the Ontario government modernize the province's construction law and helping to shape the *Construction Act*. Among the changes to the legislation are the creation of a prompt payment framework and the introduction of a mandatory dispute resolution system.

Sharon was also retained as co-counsel by the federal government to assist in the introduction of new legislation on prompt payment and adjudication. She co-authored the independent expert report *Building a Federal Framework for Prompt Payment and Adjudication*.

She is a Senior Fellow at the University of Melbourne, teaching International Construction Law. She is co-author of the text, *A Guide to Canadian Construction Insurance Law*.

RANKINGS + RECOGNITION

- Recognized in *Chambers Canada — Canada's Leading Lawyers for Business (Construction)* as a Band 1 practitioner in the area of Construction Law.
- Ranked in the areas of Construction Law, Corporate and Commercial Litigation, Insurance Law and Public Procurement Law by *Best Lawyers Canada®*.
- **Award of Excellence, 2019** (The Royal Institute of Chartered Surveyors "RICS" and the Chartered Institute of Arbitrators "CI Arb.").
- Recognized as a Leading Construction Lawyer (most frequently recommended) in the Canadian Legal Lexpert® Directory.
- Recognized as a Leading Infrastructure Lawyer in the Canadian Legal Lexpert® Directory.
- Recognized in the Lexpert® American Lawyer Guide as one of the leading 500 lawyers in Canada (Construction Law).
- Recognized in the Lexpert®/Report on Business *Infrastructure* Special Edition on Infrastructure Law.
- Recognized in *Who's Who Legal* as one of North America's Best Construction Law Global Thought Leaders.
- Recognized in *Who's Who Legal* as one of the Top Three Construction Lawyers in Canada.



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
- Master of laws, University of Auckland
- Bachelor of laws, University of Toronto
- Bachelor of arts, McMaster University

- Recognized in *Who's Who Legal* as a Leading Lawyer in the area of Construction Law.
 - 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" and one of the top 25 women litigators in Canada.
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MEMBERSHIPS

- Fellow, Canadian College of Construction Lawyers.
 - Fellow, American College of Construction Lawyers.
 - Fellow, Chartered Institute of Arbitrators.
 - Certified Specialist in Construction Law, Law Society of Ontario.
 - Vice Chair, International Bar Association, International Construction Projects Group Dispute Resolution Committee.
 - Secretary, Society of Construction Law North America.
 - Member, The Advocates' Society.
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EXPERIENCE

- Represents owners and general contractors in dispute resolution including mediation, arbitration and litigation.
 - Drafts and negotiates construction contracts for owners, developers, general contractors, subcontractors and suppliers.
 - Represents surety bonding companies, including in relation to performance bond claims and labour and material payment bond claims.
 - Advises construction clients on construction projects in Canada's North.
 - Served as counsel to:
 - A general contractor, defending 56 claims for lien amounting to more than CDN\$80-million.
 - An engineering, procurement and construction management (EPCM) project manager in a CDN\$300-million arbitration regarding an international mining dispute.
 - A joint venture design-builder in respect of its CDN\$200-million claim in relation to a public-private partnership highway project.
 - An engineering, procurement and construction (EPC) contractor for a large hydro-electric project seeking CDN\$100-million for cost over-runs.
 - A large institutional owner regarding a CDN\$180-million claim of its general contractor.
 - An owner in relation to a dispute over a supply contract valued at more than \$800-million.
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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, *"The Ontario Government Suspends Limitation Periods Effective March 16, 2020"*, March, 2020
- Co-author, *"COVID-19 – Health and Safety Implications"*, March, 2020
- Co-author, *"The Repercussions of COVID-19 on the Execution of Construction Contracts"*, March 12, 2020
- Co-Author, *"Case Comment: A Narrow Interpretation of the Coverage Available Under a Builder's Risk Insurance Policy: Pre-Eng v. Intact"*, (2009) 37:6 Can. J. Ins. L. 61", Originally published in the Ontario Bar Association's Construction and Infrastructure Section Newsletter, August 13, 2019
- Co-Author, *"Managing Utilities Risk in Urban Transit Infrastructure Projects"*, ReNew Canada Magazine
- Co-Author, *"A Thousand Pounds a Word: Following Ledcor, Policy Wording Continues to Govern in Insurance Policy Disputes"*, CCCL Legal Update, L.U. #151, March, 2019
- Co-Author, *"A Report on the Introduction of Prompt Payment and Adjudication Legislation in The Province of Ontario"*, ICLR, Volume 36, Part 1, January, 2019
- 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
 - Interview, *"Meet the Women Rainmakers!"*, Law Practice Today, September, 2017
 - Featured in *"Women in Construction"*, GTA Construction Report, September, 2014

PRESENTATIONS

- Co-speaker, *"Unforeseen subsurface conditions: eternal dilemma"*, IBA International Construction Projects Committee of the Energy, Environment, Natural Resources and Infrastructure Law Section (SEERIL) Webinar, September, 2020
- Moderator, *"Construction disputes in pandemic times"* IBA International Construction Projects Committee Webinar, August, 2020
- Speaker, *"Meeting Meeting Bonding Requirements for Public Projects"*, The Canadian Institute's 5th Annual Conference on Managing Risk in Construction Contracts & Projects – Meeting Bonding Requirements for Public Projects, July, 2020
- Co-presenter, *"The role of insurance in construction projects and unique claims that may arise in this time of financial uncertainty"*, Osgoode Webinar: Managing Financial Uncertainty in Construction Projects During Extraordinary Times, May, 2020
- Speaker, *"COVID and Construction: How the COVID-19 Pandemic Has Affected the Construction Sector in the Americas"*, International Centre for Dispute Resolution (IDCR), May, 2020
- Co-presenter, *"Alternative Financing Projects (AFP) Under the Construction Act □ Anticipated Application, Gaps, and Anomalies"*, The OBA The Next Decade in Project Delivery: A Time for Transition Webinar, May, 2020
- Speaker, *"The New Canadian Adjudication Procedures"*, American College of Construction Lawyers (ACCL), February, 2020
- Speaker, *"A concurrent session at the CPPC Forum: Prompt Payment Regime"*, Canadian Public Procurement Council, November 6, 2019
- Panel Chair, *"Hardship Laws in Times of Uncertainty: When might Contractors Successfully rely upon such Laws?"*, International Bar Association, 7th Biennial Conference on Construction Projects from Conception to Completion, October, 2019
- Co-Speaker, *"Recent Developments in Prompt Payment and Adjudication"*, Canadian College of Construction Lawyer (CCCL) 2019 Conference, May 31, 2019
- Co-Speaker, *"Prompt Payment Reforms Gather Momentum Across Canada,"* Chartered Institute of Arbitrators (CI Arb): 2019 Symposium – Construction Adjudication: Significant Change, May 29, 2019
- *"The New Adjudication Regime, What you Need to Know,"* Society of Construction Lawyers of North America Special Presentation, April, 2019
- Speaker, *"Ontario's New Construction Act: Six Months In"*, Ontario Road Builders Association Conference: Past Present Future, February, 2019
- Speaker, *"Construction Defects Claims"*, CDL Insurance Coverage Symposium, February, 2019
- Speaker, *"Ontario's New Construction Act: Modernization and Coming this Fall – Adjudication and Prompt Payment"*, 92nd Annual ORBA Convention & AGM – Harmonizing the Future, February, 2019
- 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

- [The Ontario Government Suspends Limitation Periods Effective March 16, 2020](#) - Mar 23, 2020 • Co-authored
- [COVID-19 - Health and Safety Implications](#) - Mar 18, 2020 • Co-authored

- The Repercussions of COVID-19 on the Execution of Construction Contracts - Mar 12, 2020 • Co-authored
- A Guide to Prompt Payment and Adjudication in Ontario - Oct 18, 2019 • Co-authored
- The Authorized Nominating Authority Has Been Appointed - Jul 26, 2019 • Co-authored
- Case Comment: A Narrow Interpretation of the Coverage Available Under a Builder's Risk Insurance Policy - Pre-Eng v. Intact. - Jul 22, 2019 • Co-authored
- Update on Federal Prompt Payment – Royal Assent - Jul 8, 2019 • Co-authored
- Improving Lives with Habitat for Humanity - Apr 2, 2019
- 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

COMMUNITY + VOLUNTEERING

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