

# Q&A: Canada

**DEREK SAYERS – ASSOCIATE DIRECTOR, DRIVER TRETT CANADA TALKS TO THE DIGEST ABOUT THE GROWTH OF CONSTRUCTION IN THE COUNTRY AND THE CHANGING APPROACH TO CONTRACT MANAGEMENT AND CLAIMS.**

## What does the current Canadian business look like?

Driver Trett expanded their business in Canada, from our Toronto base, in January 2016 with the opening of offices in both Calgary and Vancouver.

Since opening these new offices, we have continued to grow. The work across our offices in Canada comes from varied sources; owners, contractors, subcontractors, and law firms. The great news is that, in the vast majority of cases, Driver Trett have been able to assist their clients to reach an economic, mutually acceptable resolution to their disputes prior to the point of formal arbitration or litigation. This has saved our clients substantial time and expense in avoiding ongoing litigation.

A direct result of our success helping our clients here in Canada has been repeat work from the clients that have engaged our services. Just as importantly, due to word of mouth recommendations from our existing clients, we have gained the ability to secure further opportunities to help new clients avoid lengthy litigation and reach effective, efficient resolution.

## And, what about the team?

Driver Trett have successfully brought together high-quality professionals with a wealth of international experience in quantum, scheduling, and expert work and created a formidable team. They are able to quickly and efficiently analyse all aspects of a dispute, draw out the critical factors, and lead our clients and their counterparts on the other side of the dispute to an effective resolution.

## Is Canada different to other construction markets?

Given our international experience, we can see the factors that make the Canadian market different to other markets around the world. The primary difference we see, is that many international markets are more litigious. The Canadian conventional approach is very much to



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endeavour to avoid litigation and settle disputes by amicable negotiation. While highly laudable, one consequence that we have seen from this mindset is a lack of attention to the giving of timely notices to protect entitlements and in keeping adequate records to enable prompt resolution of disputes.

To assist our fellow Canadians in addressing these factors, Driver Trett have a number of free presentations that we

offer as interactive discussion sessions. During these we provide insights on how to best manage record keeping, how to manage the risks inherent in various construction projects, and to avoid or mitigate disputed situations. These interactive sessions are very well received with positive feedback. As awareness of them spreads throughout the market, the presentations are in constant demand, keeping our team busy travelling around Canada.

## What do you see as the future of construction in Canada?

Canada is a young, dynamic economy and the future for the construction industry is robust. With its vast natural resources, there is no doubt that Canada will continue to grow. The population of Canada is small for its size and each and every year Canada welcomes many skilled immigrants. With each new injection of talent the economy continues to grow both in size and diversity. It is natural for different parts of the economy to grow at different rates, and we see the construction industry responding quickly to evolving trends, providing support at every moment. One such trend has been the arrival of more international contractors to the Canadian market who may have a different, more forceful approach to addressing their claims.

Driver Trett is very happy to be a part of the Canadian economy, to be here to assist our clients, to raise awareness on how best to manage risk and, when needed, to directly help our clients resolve their disputes. ■

## Canada Adjudication Seminars

Driver Trett (Canada) Ltd. is taking the lead in providing training on Prompt Payment and Adjudication to the legal and construction communities in Ontario. Our Toronto staff are experienced in these matters, having assisted in some of our adjudication cases in the UK. We are currently holding seminars across the province.

If you would like to attend our next seminar, please contact [kevin.oneill@drivertrett.com](mailto:kevin.oneill@drivertrett.com) for more information.

