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Greg Southam Talks to *Canadian Lawyer* About P3 Challenges

In a recent [article](#) on the current climate of the Canadian P3 industry, *Canadian Lawyer* featured Davies partner [Greg Southam](#)'s insights on the opportunities and challenges that in-house counsel need to be aware of in 2020.

While infrastructure opportunities continue to roll out across Canada, risk allocation between the public and private sectors is presenting challenges and slowing down the industry for public-private partnerships, with some large players leaving the market entirely.

Greg encourages clients to reach out to public authorities to voice their concerns, noting, "There is actually a lot of opportunity for [in-house counsel] to be a significant participant in discussions on how we are going to approach these transactions on an ongoing basis to ensure that the public is still adhering to the principle of a P3 deal in terms of time, budget and offloading risk to the right person."

Vehicle delivery is often an issue in LRT projects, particularly when either the public or the private sector shoulders all the risk, so sharing risk can be beneficial. In one recent example involving a client bidding on the Trillium Line LRT project in Ottawa, Greg and his team worked with the City and its counsel to develop a risk model whereby the private and public sectors shared the new vehicle delivery risk, with the existing vehicles running on the newly constructed line extension to achieve an interim completion.