

# **John S. Haythorne**

**Partner at Dentons Canada LLP**

Vancouver, BC, CA

As a lawyer and Registered Professional Engineer, John brings unparalleled expertise and knowledge to P3, construction and infrastructure.

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## **Description**

John is both the Vancouver and the National Team Leader of FMC's P3 team. He practises in the areas of construction, engineering and infrastructure, with special emphasis on negotiating, drafting and advising on contracts. He is particularly experienced in public-private partnerships, advising owners on the structure and administration of procurement and legal issues relating to design and construction.

During his practice, John has acted for municipal, healthcare authorities and the Province of British Columbia advising on the law relating to tenders, requests for proposals and complex procurements. John began his career practising in construction litigation.

In addition to providing advice on engineering and construction matters, John has also advised clients on a variety of other technical projects including ship building and repair, and truck transportation including waste collection.

John is a Registered Professional Engineer, and prior to entering law he worked as a Professional Engineer on infrastructure projects. His unique background as an engineer allows him to focus on practical and workable solutions for clients.

From 1997-1998, John was the President of the Association of Professional Engineers and Geoscientists of British Columbia. He then served on the national Canadian Council of Professional Engineers from 2000 to 2002. John is a frequent lecturer on all matters relating to construction law, procurement and P3s.

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## **Availability**

Keynote, Moderator, Panelist

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## **Industry Expertise**

Legal Services, Construction - Commercial, Civil Engineering, Alternative Dispute Resolution

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## **Topics**

Construction & Infrastructure, Public-Private Partnerships (P3), Health & Healthcare Law and Policy, Transportation, Law Architecture and Engineering

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## **Affiliations**

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## Sample Talks

### **Major Infrastructure Renewal/Rehabilitation Projects: Executing Procurement Obligations for Domestic Procurement Initiatives Without Sacrificing Budget**

Every infrastructure project must be designed, financed, constructed, operated and maintained, but there are many different ways for the government to procure and deliver an infrastructure project. This session is designed to provide a critical overview of procurement challenges from both the government and industry perspective in major infrastructure projects in energy, nuclear power and health-care, and strategies on successfully carrying out procurement tasks in major projects on the horizon.

### **P3s: Strategies for Overcoming Unique Challenges Inherent in P3 Projects**

This workshop will cover current and upcoming contract models, including Design Build Finance Operate (DBFO) contracts being utilized in Canada, as well as assessing the state of the P3 market in Canada. Those in attendance will gain an understanding of the unique legal, bonding and insurance ramifications in P3 projects, and the elements involved in strategically planning a procurement strategy for DBFO projects.

### **Ethics & Leaky Condos**

Too many unfortunate residents have suffered financial stress, damages and legal hardships when their own condo unit or building falls victim to leaks. What happens when profits and quick monetary returns for construction companies or engineering firms override business ethics? Join John Haythorne as he shares his stories and experience “as both a lawyer and registered professional engineer” in promoting business ethics, while addressing the seamier side of building design and construction.

### **Supplier and Vendor Report Card: Performance Indicators and Measurement for Evaluating Infrastructure Service Providers**

Many municipalities rely heavily on infrastructure service providers to assist them to plan, develop, operate, and manage infrastructure initiatives. However, it is crucial to have firmly established criteria in place to evaluate the benefit received. What are the key criteria for evaluation based on your needs? How can you ensure clear communication with the provider to avoid unforeseen problems? Gain a comprehensive strategy to evaluate industry suppliers to enhance your decision-making.

### **Procurement and You: Developments in Procurement Law and Implications Beyond Construction**

This session will present an overview of recent developments in procurement law in Canada. A particular emphasis will be placed on how the courts are traditionally “hands off” in the general commercial context but are, increasingly, “hands on” in the procurement context.

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## Past Talks

### **Major Infrastructure Renewal/Rehabilitation Projects: Executing Procurement Obligations for Domestic Procurement Initiatives Without Sacrificing Budget**

The Canadian Institute’s 8th Advanced Guide to Public Procurement

### **P3s: Strategies for Overcoming Unique Challenges Inherent in P3 Projects**

The Canadian Institute's 20th Annual Western Canadian Construction Superconference

**Effectively Managing Bidding and Tendering Risks When Negotiating and Forming Construction Contracts**

Construction Contracts: Practical Guidelines to Prevent Costly Mistakes

**Green Building Litigation Update**

Greenbuild International Conference and Expo

**Good Tendering Practices After Tercon**

Master Municipal Construction Documents Association Event Series

**Urban Infrastructure, Transport and Logistics**

Infrastructure Today India Opportunity 2012 Conference

**KEYNOTE SPEECH: Ethics & Leaky Condos**

Workplace Centre for Spiritual & Ethical Development Speaker Series

**Supplier and Vendor Report Card: Performance Indicators and Measurement for Evaluating Infrastructure Service Providers**

The Future of Canada's Infrastructure

**Project Management – Avoiding the Pitfalls of Delays**

Pacific Business & Law Institute – Construction Law: Practical Guidelines for Doing Business in 2010

**Utilizing Project Scheduling as an Effective Management Tool**

Canadian Institute's 2nd Annual Construction Superconference

**Basil Fawly's™ Guide to Hiring a Contractor**

CLE Construction Law 2010: And Now For Something Completely Different

**Name that P3!: The Extreme Game Show for P3 Enthusiasts**

The 17th Annual CCPPP National Conference on Public-Private Partnerships

**Building a Viable P3 Model in the United States**

4th Annual Institutional Investing in Infrastructure Conference

**Tender/RFP Review and Update: The One Constant - The Law is Always Changing**

FMC Tender Law Seminar

**Fixed-Price Contracts for IPP's™**

7th Annual Independent Power Producers of British Columbia Conference

**Procurement and You: Developments in Procurement Law and Implications Beyond Construction**

CBA Canadian Legal Conference 2012

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## Education

University of British Columbia  
B.Sc. (Civil)

University of British Columbia  
LL.B.

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## Accomplishments

### Leading Practitioner â€™ International Who's Who of Business Lawyers

In 2012, Mr. Haythorne was recognized by the International Who's Who of Business Lawyers ("Who's Who Legal") in the area of Public Procurement.

### Leading Practitioner â€™ Projects P3 & Infrastructure

From 2006 through 2012, Mr. Hawthorn has been recognized by Chambers Global: The World's Leading Lawyers for Business as a leading lawyer in the area of Projects P3 & Infrastructure.

### Leading Practitioner â€™ Public Procurement

In 2011, Mr. Haythorne was recognized by Whoâ€™s Who Legal: Canada 2011 as a leading lawyer in the area of Public Procurement.

### Partner â€™ Dentons Canada LLP

Dentons is a global firm driven to provide you with the competitive edge in an increasingly complex and interconnected marketplace. We were formed by the March 2013 combination of international law firm Salans LLP, Canadian law firm Fraser Milner Casgrain LLP (FMC) and international law firm SNR Denton.

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