



## public-private partnerships

### overview

As populations continue to grow rapidly and governments continue to tighten their purse strings, there has been an explosion of public-private partnerships (P3s)—schemes in which government and the private sector fund and operate infrastructure developments together.

McMillan's Financial Services Group has a high degree of expertise advising both public and private sector participants across Canada on a variety of P3 arrangements including design-build, design-build-finance, and design-build-finance-maintain.

We combine relevant expertise from across our firm to counsel both project sponsors and lenders on the financeability concerns that are inherent in P3 and other project finance structures.

Our lawyers bring a deep understanding of the P3 market across multiple jurisdictions and asset classes. We consistently help to close projects that meet the requirements and financial objectives of procurement authorities and private partners. We deliver expert knowledge of the business and legal fundamentals that underlie even the most complex P3 transactions, helping clients navigate the RFQ and RFP processes to deliver successful projects on time.

McMillan has served as lead counsel on the majority of P3 projects across Canada in recent years including more than 15 transportation-related P3 projects and over 30 in healthcare. We have also been lead counsel on more than 60 of the 80 largest projects posted by Infrastructure Ontario.

Our lawyers have advised on numerous first-in-kind transactions, including Ontario's first P3 project, the first monoline wrapped P3 in Canada and the first revenue-based P3 in Ontario.

McMillan professionals help clients lead by:

- Advising on bid strategy, financing and bonding alternatives, technical advisor reports, and regulatory and tax issues
- Negotiating project documents
- Addressing labour relations, health and safety, and environmental issues
- Negotiating final project agreements through the stage of commercial close
- Providing legal advice related to construction and implementation

### firm profile

McMillan is a modern and ambitious business law firm serving public, private and not-for-profit clients across key industries in Canada, the United States and internationally. With recognized expertise and acknowledged leadership in major business sectors, we provide solutions-oriented legal advice through our offices in Vancouver, Calgary, Toronto, Ottawa, Montréal and Hong Kong. Our firm values – respect, teamwork, commitment, client service and professional excellence – are at the heart of McMillan's commitment to serve our clients, our local communities and the legal profession. For more information, please visit our website at [www.mcmillan.ca](http://www.mcmillan.ca).

### contacts

Timothy John Murphy  
416.865.7908