



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.

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alternative financing and procurement

overview

All across Canada and around the world, infrastructure is creaking under the weight of a growing population and cash-strapped governments. As public officials seek to deliver quality public services, catalyze economic growth and improve their citizens' quality of life, a new framework for infrastructure investment has emerged: alternative financing and procurement (AFP).

First coined by Infrastructure Ontario, AFP is not dissimilar to public-private partnership arrangements—aiming to deliver essential infrastructure efficiently and cost-effectively by partnering with the private sector. But AFP transactions are highly sophisticated and complex, requiring the assistance of an expert legal team that understands both the intricacies of the model and the complexities of infrastructure projects themselves.

McMillan's Infrastructure Industry Group helps enterprises and governments alike navigate the complex world of AFP transactions. Our breadth of infrastructure experience and the strength of our government and private enterprise relationships enable us to deliver tangible value all along the project life cycle, from concept through completion.

Our lawyers advise governments, lenders, contractors, service providers and owners. Working across the entire contingent of industry players—and, where necessary, enlisting the assistance of our colleagues in other practice areas and industry specialties—enables us to see every challenge from multiple points of view. In doing so, we deliver timely, expert advice that anticipates and mitigates risk.

McMillan professionals help clients lead by:

- Executing transaction and project due diligence
- Advising on the procurement and selection process
- Advising on and structuring project finance arrangements
- Providing risk analysis and risk mitigation strategies
- Preparing project documentation and negotiating contracts
- Advising on tax, procurement, construction, government regulations, labour, real estate, intellectual property and contract law matters
- Advising on insurance, risk management and environmental issues
- Representing clients in litigation or alternative dispute resolution proceedings