



## Gerry Argento

Partner | Montréal

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### Biography

Gerry Argento's practice is predominantly focused on construction law with experience in both litigation and contractual matters. Born to a family of general contractors in the construction industry, Gerry was acquainted from an early stage with the realities of major construction sites and entrepreneurship. His insight on these matters allows him to add a practical element to his legal advice.

He advises owners, developers, general and specialized contractors, suppliers of materials as well as industry associations, and is regularly called up to represent his clients before the courts and arbitral tribunals. He also advises in relation to the drafting, negotiation and review of all types of construction contracts.

Gerry is active in a broad range of construction matters, including disputes relating to public and private calls for tenders, contractual disputes, claims for additional costs or delays resulting from unforeseen conditions, and construction defects. He also provides legal advice on matters relating to the professional qualifications of contractors (RBQ) and to the *Act respecting labour relations, vocational training and workforce management in the construction industry* (R-20).

Gerry has also developed experience in e-discovery and in managing large complex litigation files as well as real estate disputes.

Fluently trilingual, Gerry regularly acts as speaker and publishes articles geared toward various stakeholders in the construction industry.

### Professional achievements & leadership

- *Canadian Legal Lexpert Directory* : Repeatedly Recommended in Construction Law, 2021-2024

### Notable matters

Gerry's experience includes advising the following clients:

- A major general contractor in relation to a dispute against a federal government agency subject to arbitration under the *Commercial Arbitration Act* in respect of a claim for additional works resulting from unforeseen conditions. The amounts in dispute total

### RELATED SERVICES

Arbitration & Mediation  
Commercial Litigation  
Construction Litigation  
Procurement

### RELATED INDUSTRIES

Construction and Infrastructure  
Projects

### RELATED FOCUS AREAS

Regulated Professionals

approximately \$1 million.

- A general contractor in relation to a dispute against a provincial government agency relating to tendering process compliance. The amounts in dispute total approximately \$1,5 million.
- A multinational steel and mining company in an International Chamber of Commerce (ICC) arbitration relating to the performance of equipment procured at an iron ore facility in Northern Quebec.
- A multinational steel and mining company in respect of claims relating notably to cost and schedule overruns for the expansion of an iron ore facility in Northern Quebec, under an Engineering, Procurement and Construction Management ("EPCM") contract. The amounts in dispute total approximately \$750 million.
- A multinational general contractor in relation to licensing requirements (RBQ) and contract review regarding an important light rail transit (LRT) project in Montréal.
- A consortia of architects and engineers in respect of a contractual dispute with a provincial government agency regarding an important hospital modernization project in Montréal. The amounts in dispute total approximately \$120 million.
- A Limited Partnership in relation to latent defects affecting the property contributed to the Partnership by its special partner. The amounts in dispute totaled approximately \$8,1 million.
- A private real estate developer in respect of injunction proceedings regarding an ongoing construction project.

## Thought leadership

- "COVID-19 and standard CCDC/CCA clauses", *Canadian Consulting Engineer Magazine*, April 1st, 2020
- *La portée des clauses d'exonération dans les contrats de construction : développements récents*, Miller Thomson annual Construction Law seminar, March 11, 2020, presented jointly with Stephan H. Trihey
- "La portée des clauses d'exonération dans les contrats de construction : développements récents", *Miller Thomson 2020 Construction Law Textbook*, article written in collaboration with Stephan H. Trihey, March 2020
- "Développements récents du devoir d'information en droit de la construction : portée et limites", *Miller Thomson 2019 Construction Law seminar Textbook*, article written with Stephan H. Trihey, March 2019
- "Preuve de compétence et d'expérience - une condition d'admissibilité majeure?", *Journal L'Entrepreneur Général*, Corporation des Entrepreneurs Généraux du Québec, article written with Yannick Forget, April 2018
- *Développements récents en responsabilité des professionnels de la construction*, Miller Thomson annual Construction Law seminar, March 20, 2018, presented jointly with Stephan Trihey
- "Appel d'offres : un prix forfaitaire trop bas peut constituer une irrégularité majeure", *Journal Constructo*, November 2017
- "Irrégularités mineures et l'égalité entre les soumissionnaires", *Journal Constructo*, June 2017
- *Revue de la jurisprudence récente - Le devoir d'information*, Miller Thomson annual Construction Law seminar, April 27, 2017
- "L'entrepreneur aurait dû le savoir : retour sur l'obligation de renseignement du donneur d'ouvrage", *Journal Constructo*, March 2017
- "Le contrat à forfait : l'importance de bien évaluer l'étendue des travaux », *Journal Constructo*, February 2017

- "La discrétion des municipalités dans l'analyse des soumissions", *Journal Constructo*, September 2016
- "La discrétion dans l'analyse des soumissions", *Journal Constructo*, June 2016
- *Revue de la jurisprudence récente – Appel d'offres*, Miller Thomson annual Construction Law seminar, April 2016
- *Revue de la jurisprudence récente – Appel d'offres*, De Grandpré Chait Construction Law Conference, March 2015

## **Community involvement**

- Academos, Mentor

## **Corporate directorships**

- Secretary, Board of Directors, *La Garantie habitation des maîtres bâtisseurs (GHMB)*, since 2019

## **Professional memberships**

- Quebec Bar
- Young Bar of Montréal

## **Languages spoken**

- English
- French
- Italian

## **Bar admissions & education**

- Quebec, 2014
- LL.M., Université de Montréal, 2013
- Juris Doctor in Common Law, Université de Montréal, 2011
- LL.B., Université de Montréal, 2011
- B.A., Political Science, Université de Montréal, 2008