

Guy Gilain

Partner

Montréal

OFFICE

514.879.2132

ggilain@millerthomson.com



Industries & Expertise

INDUSTRIES

Projects | Construction Contracts and Procurement | Construction and Infrastructure

EXPERTISE

Construction Litigation

Biography

BAR ADMISSION

Quebec, 1985

EDUCATION

- LL.L., Université de Montréal, 1984

LANGUAGES SPOKEN

English, French

Guy Gilain is a partner specializing in construction law, with extensive expertise in litigation and contractual matters. He advises a diverse clientele on the complex aspects of construction contracts and successfully manages major disputes.

As a co-author of a construction law textbook, Guy is also a sought-after speaker, sharing his insights at numerous conferences in the field, as well as an active member of several prestigious professional organizations. His commitment to the industry and recognition within the profession reflect his expertise and passion for construction law.

Holding an LL.L. from the Université de Montréal, Guy regularly contributes to conferences and publications, showcasing his expertise. His ongoing contributions make him a valuable resource for both clients and colleagues. Guy has received multiple awards for his excellence in construction law.

Industry involvement

Recognition

- *The Best Lawyers in Canada* – Construction Law, 2012-2025
- Lexpert Special Edition on Energy and Mining, 2024
- Lexpert Special Edition on Infrastructures, 2024
- Lawyer of the Year, *The Best Lawyers in Canada* – Construction Law, 2022
- Canadian Legal Lexpert Directory: Consistently Recommended in Construction Law, 2016-2024
- *Benchmark Litigation Canada* – Litigation Star: Construction, 2020-2024
- The Heritage Registry of Who's Who for Executives and Professionals

Thought leadership

- *La portée et les limites des clauses de modification dans un contrat*, Miller Thomson Annual Construction Law seminar, March 11, 2020, presented jointly with Tania L. Pinheiro
- *Le rôle de l'expert et jurisprudence récente à cet égard*, Miller Thomson Annual Construction Law seminar, March 11, 2020, presented jointly with Fadi Amine
- "La portée et les limites des clauses de modification dans les contrats", *Miller Thomson 2020 Construction Law Textbook*, article written in collaboration with Tania L. Pinheiro, March 2020
- *Gestion d'un litige en matière de construction*, Miller Thomson Annual Construction Law seminar, March 28, 2019, presented jointly with Anik Pierre-Louis
- "Gestion d'un litige en matière de construction", *Miller Thomson 2019 Construction Law seminar Textbook*, article written with Anik Pierre-Louis, March 2019
- *Les réclamations pour délais causés durant l'exécution des travaux*, Miller Thomson annual Construction Law Seminar, presented jointly with Andréanne Sansoucy, March 20, 2018
- "Les réclamations pour délais causés durant l'exécution des travaux", *Miller Thomson 2018 Construction Law Seminar Textbook*, article written with Andréanne Sansoucy, March 2018

- *Comment définir la fin des travaux?*, Miller Thomson annual Construction Law Seminar, presented jointly with Andréanne Sansoucy, April 2017
- *The usual clauses in a construction contract*, Miller Thomson Construction Law Seminar, presented jointly with Normand D'Amour, April 2016
- *The duty to inform and the duty to cooperate*, De Grandpré Chait Construction Law Conference, March 2014
- *The legal construction hypothec*, De Grandpré Chait Construction Law Conference, February 2013
- *Claims against the MTQ*, De Grandpré Chait Construction Law Conference, April 2012
- *Delays: who is responsible?*, De Grandpré Chait Construction Law Conference, March 2011
- *What Damages are Claimable for Unforeseen Circumstances*, De Grandpré Chait Construction Law Conference, March 2010
- *The Legal Hypothec: Security to keep in mind in the event of insolvency*, De Grandpré Chait Construction Law Conference, March 2009
- *Agreement Between the Owner and the Contractor*, De Grandpré Chait Construction Law Conference, April 2008
- *Arbitration and The Hearing*, De Grandpré Chait Construction Law Conference, March 2007
- *Legal Hypothecs: Recent Case Law*, De Grandpré Chait Construction Law Conference, March 2006
- *Projets de développement d'envergure et partenariat public-privé : Défis et résolutions*, Insight Conference, February 2006
- *Recent Developments in Legal Construction Hypothecs*, Construction Superconference, The Canadian Institute, November 2005
- *L'évaluation des dommages pour coût d'impact et perte de productivité : principes et corrections par la Cour d'appel dans Aluminerie Alouette Inc. c. Les constructions du St-Laurent Ltée*, Superconference on Construction, The Canadian Institute, November 2004
- *Les garanties légales et conventionnelles de l'entrepreneur*, Canadian Construction Association (CCQ), Québec Construction Association (ACQ) and Québec Road Builders and Heavy Construction Association (ACRGTQ), February 2004
- *Le contrôle et la gestion de la documentation sur les chantiers de construction : ce que l'entrepreneur et le donneur d'ouvrage doivent savoir en cas de réclamation*, Superconference on Construction, The Canadian Institute, November 2002
- *Les travaux additionnels*, Insight Conference on Construction, November 2002
- *Les réclamations dans le domaine de la construction*, Université Laval Faculté des sciences and the Ordre des ingénieurs du Québec, October 2002
- *Les récents développements en droit de la construction*, Québec Bar Seminar, April 2002
- *La pyrite*, Canadian Bar Association, Construction Division, November 2000
- *L'obligation de renseignement des propriétaires et revue de la jurisprudence récente*, Superconference on Construction, The Canadian Institute, November 2000

- *Exemples procéduraux – Construction Law*, Canadian Bar Association, May 1994

Notable matters

- Acted for the Algerian government with respect to preparing the contract documents and negotiating with the general contractors regarding the construction of the Algerian East-West highway, a 11.7 billion dollars project
- Pleaded before the courts the first pyrite legal battle
- Acted for a general contractor in a major legal action over the construction of a pipeline

Community roles

- Member of the Funding Committee of the *Show du refuge* for many years

Corporate directorships

- Fellow, Canadian College of Construction Lawyers
- Member of the Board of Directors, Association du contentieux du Québec – Montérégie
- Member of the Board of Directors and lecturer, Quebec Construction Association – Montérégie
- Member of the Board of Directors and former Provincial Vice-Chair, Canadian Construction Association (CCA)
- Member of the Board of Directors and former Chairman of Associate Members, Association des constructeurs de routes et grands travaux du Québec (ACRGTQ)
- Director, Éditions Pole Position Inc.

Memberships & affiliations

- Quebec Bar
- Montréal Bar
- Canadian Bar Association (CBA)
- The Canadian Council for Public-Private Partnerships
- Quebec Master Roofing Association (AMCQ)
- Board of Trade of Métropolitain Montréal
- President of Association des constructeurs de routes et grands travaux du Québec (ACRGTQ) associate members