



Gregory D. Hersen *

Tel: 416 777 5400

Email: ghersen@torkinmanes.com

** Legal services provided through Gregory D. Hersen Professional Corporation*

Greg Hersen is a partner and Chair of Torkin Manes' Construction Law Group. He has been certified by the Law Society of Ontario as a Specialist in Construction Law since May 2001, and annually recognized since 2017 in *The Best Lawyers In Canada*® for Construction Law. He has also been Repeatedly Recommended by his peers for Construction Law in the *Canadian Legal Lexpert Directory* and recognized as a leader in Construction Law in the *Lexpert* Special Edition on Canada's Infrastructure lawyers. Greg also holds a Distinguished Peer Review Rating with Martindale-Hubbell.

Greg provides ongoing strategic advice to public and private sector owners, general contractors, sureties, subcontractors, suppliers and design professionals throughout the life cycle of construction projects. These projects include public infrastructure projects relating to transit systems, bridges, highways, flood management and erosion control, recreational infrastructure, educational and healthcare facilities, and private sector industrial, commercial, residential development and mining projects.

Greg advises clients on a wide range of construction issues, including claims relating to delay, tender disputes, claims for lien, deficiencies, contract termination and abandonment, extras, negligence, surety bonds and indemnity agreements, COVID-19 damage claims, and breaches of trust. In addition to advocating for his clients before the courts at trial and appellate levels, Greg regularly participates in ADR processes, including negotiation, mediation and arbitration.

As the first lawyer to be appointed to the Canadian Construction Documents Committee (CCDC), Greg participated in the revision and development of standard CCDC construction documents, including Stipulated Price, Civil Works, Construction Management and Design-Build Contracts, for more than a decade. He is proficient in drafting tender documentation, construction contracts and professional service contracts related to construction, and skillfully advises on matters related to contract compliance and Ontario's *Construction Act*, including prompt payment and holdback release issues.

Greg is a frequent speaker at construction industry seminars on new developments in construction law, including design/build and construction management contracts and disputes, delay claims, the CCDC family of construction documents, Construction liens and payment bond claims. He has also presented numerous Continuing Legal Education Programs for the Ontario Bar Association, The Law Society of Ontario and the Canadian Bar Association.

Expertise

- ▶ Construction Law
- ▶ Litigation

Awards & Recognition

- ▶ *The Canadian Legal Expert Directory* - Repeatedly Recommended, Construction Law
- ▶ *The Best Lawyers in Canada*® - Construction Law (2017 - present)
- ▶ *Charter Fellow of the Construction Lawyers Society of America (CLSA)* - Top Construction Lawyers
- ▶ *Martindale-Hubbell* - Distinguished Peer Review Rating

Publications & Presentations

- ▶ Mar 30, 2020 | Novel Coronavirus (COVID-19)
COVID-19 Update: Suspension of Limitation and Procedural Periods in Ontario and the *Construction Act*
- ▶ Jun 27, 2019 | Presentation
Construction Act Ready! Transition from the Construction Lien Act to the Construction Act
Client Seminar
- ▶ Dec 10, 2018 | Presentation
The New Construction Act
Lumbermens Seminar
- ▶ Feb 28, 2014 | Presentation
CCDC-1, 2008 - Supplementary Conditions Training Seminar
Client Seminar
- ▶ Dec 01, 2013 | Presentation
Key Topics in Construction Law - It's Not All About The Lien
Torkin Manes LLP/Association of Corporate Counsel (ACC) Ontario Chapter seminar
- ▶ Oct 31, 2013 | Presentation
Construction Lien and Trust Essentials
Client Seminar
- ▶ Oct 23, 2013 | Presentation
Construction Lien & Trust Essentials
Lumbermens Construction Lien and Bonds Workshop
- ▶ Oct 01, 2013 | Presentation
Exercising Your Lien Rights Under the Construction Lien Act & Other Ways to Reduce Risk
Grand Valley Construction Association
- ▶ May 30, 2012 | Presentation
Mitigation of Risk Through All Stages of the Construction Process
MMPI Canada
- ▶ May 16, 2012 | Presentation
Construction Law Presentation
Canadian Institute of Steel Construction
- ▶ May 01, 2012 | Presentation
The Nightmare Construction Project: What To Do When What Can Go Wrong, Does Go Wrong
Torkin Manes LLP/Association of Corporate Counsel (ACC) Ontario Chapter seminar
- ▶ Aug 01, 2011 | Article
Exercising Your Lien Rights under the *Construction Lien Act* and Other Ways to Reduce Risk
Grand Valley Construction Association

- ▶ Jun 01, 2011 | Presentation
Fundamental Concepts under the *Construction Lien Act*
AECON Law Day Seminar
- ▶ Apr 01, 2011 | Presentation
Construction Law Primer - What In-house Counsel Need to Know: Recognizing and Managing Risk on
Constructions Projects
Torkin Manes LLP/Association of Corporate Counsel (ACC) Ontario Chapter seminar
- ▶ Jun 01, 2010 | Presentation
Managing Your Risk and Protecting your Rights on Construction Projects - A Legal Perspective
Client Seminar
- ▶ Apr 01, 2010 | Presentation
Construction Lien Rights
Lumbermen's Seminar
- ▶ Jan 01, 2010 | Book
Delay Clauses in International Construction Contracts
Chapter Author, Kluwer Law International, Canadian Section
- ▶ Oct 01, 2009 | Presentation
Construction Lien Primer and Update
Co-Chair, OBA Professional Development
- ▶ Apr 01, 2009 | Presentation
Managing Risk on Construction Projects - A Legal Perspective
BILD Seminar
- ▶ Jun 01, 2008 | Presentation
How we got here - and what you need to know about the General Provisions (Part I) of the New CCDC
2 - 2008 Stipulated Price Contract
CCDC Construction Industry Seminar
- ▶ May 01, 2008 | Presentation
Construction Surety Bonds as a Source of Recovery
OBA Professional Development Construction Remedies: Beyond the Lien
- ▶ May 01, 2008 | Presentation
The New CCDC 2 - 2008 Stipulated Price Contract - The New Regime
*The Canadian Bar Association, 2008 National Construction Law Conference & "Controlling Risks
in Large Construction Projects"*
- ▶ May 01, 2008 | Presentation
Introduction to The New CCDC2 - 2008
Ontario Construction Users Council Seminar
- ▶ Apr 01, 2008 | Presentation
The New CCDC2 - 2008: Issues From the Architects Perspective
Client Seminar
- ▶ Mar 01, 2008 | Presentation
Intro to CCDC and CCDC Documents
OBA Professional Development
- ▶ Jan 01, 2008 | Presentation
Bidding and Tendering: Strategies for Minimizing and Eliminating Risk
The Intensive Course in Construction Law, Osgoode Professional Development CLE
- ▶ Oct 01, 2007 | Presentation
Construction Project Delivery Risks and Mitigation Strategies - A Legal Perspective
Canadian Public Procurement Council Forum 2007

▶ Apr 01, 2007 | Article

Mortgage Priorities Under the *Construction Lien Act*
Section in Review, Ontario Bar Association

▶ Jan 01, 2007 | Article

The Construction Industry and Environmental Protection Legislation
Section in Review, Ontario Bar Association

Memberships

- ▶ The Advocates' Society
- ▶ Canadian Bar Association - National Construction Law Section Executive, Member-at-Large, 2007-present
- ▶ Trial Law Institute
- ▶ Diversity Law Institute
- ▶ Grand Valley Construction Association
- ▶ Metropolitan Toronto Lawyers Association
- ▶ Ontario Bar Association - Construction Law Section, Past Chair, 2006-2007
- ▶ Ontario Bar Association - Construction Law Section Executive, Member-at-Large, 1996 - 2006
- ▶ Canadian Construction Documents Committee (CCDC), Past Ex-Officio Member - 1999-2007

Community Involvement

- ▶ 2nd Degree Black Belt in Shotokan Karate

Credentials

- ▶ Certified by the Law Society of Ontario as a Specialist in Construction Law, 2001 – present
- ▶ Called to the Ontario Bar, 1991

Education

- ▶ LL.B., University of Windsor, 1989
- ▶ B.A., University of Western Ontario, 1986