



CURRICULUM VITAE

ACHIEVEMENTS

Mediations:

2.5M \$ litigation between a structural steel manufacturer and its installation subcontractor in relation with supplementary works, loss of productivity and delay claims resulting from the erection of the megatrusses in the structure of a convention center in downtown Montreal.

Between a real estate company, a construction and engineering company and two general contractors in relation with a 2M \$ litigation resulting from paving works of the underground parkings of two buildings in downtown Montreal.

During the execution of the works on the extension of an operating water filtration plant for a list of unresolved disputes (2M\$) between a general contractor and a city.

Between a general contractor and a public body in relation with a 1.4 M \$ delay claim resulting from the addition and alteration of an existing hospital.

12M \$ dispute between a general contractor and a city in relation with claims for extras and delays on a design-build contract for a sports arena.

6 year litigation (5M\$) involving a general contractor, a college and the project professionals in relation with a delay claim and counter-claim resulting from the addition and renovation of an existing building.

Between a general contractor and a college in Montreal, in relation with a 600 K \$ dispute resulting from a delay claim and a subcontractor claim for extra works and delay.

Dispute (0.5M\$) between a general contractor and a city in relation with the construction of its new city hall. The dispute involved unpaid extras and a claim for delay.

Between a mechanical contractor and a multinational industrial company in relation with a 1M\$ dispute resulting from works carried out on a time and material basis at a tar sands project in Alberta.

Advised a large construction-engineering firm and prepared its file, in view of a proposed mediation with a public institution, of a dispute of about \$20M resulting from the design-build contract of a \$200M building project in Montreal.

Dispute between a general contractor and a public owner in relation with a claim (\$2M) for extra work and delay resulting from the renovation of a building in Montreal.

Construction dispute (approx. \$0.5M) between a construction-engineering firm and an institutional owner in relation with a claim for additional costs resulting from the delay in the completion of an underground parking (approx. value 15M\$), in Montreal.

Conflict resulting from a design-build contract between a general contractor and the federal government, in relation with the construction of airport facilities in Northern Quebec.

Between a general contractor and a quasi-public owner in order to resolve their conflict (\$1.9M) originating from cladding repair work on an office building in downtown Montreal.

Dispute (\$4M) opposing a general contractor and a private owner resulting from the construction of a luxury hotel in Mont-Tremblant, Quebec.

Claim (\$1.3M) by a general contractor against a public institution in relation with extra work and delay resulting from the construction of a new building in Montreal.

Dispute (0.5M \$) between a contractor and a major public utility in relation with architectural works in an infrastructure project in James Bay.

Two litigations (8M \$) opposing the same general contractor and city following the construction of two different public buildings.

Claim (1M\$) against a professional liability insurer in relation with the faulty design of a concrete structure used as an environmental treatment equipment.

Between the administrators of a condominium and their insurer in relation with a claim (450K\$) resulting from a fire.

Member of a panel of three facilitators mandated to carry out a partnering process on one of the phases of the restoration of the parliamentary buildings, in Ottawa.

Arbitrations:

Acted as a sole arbitrator in eleven (11) commercial cases up to a value of 1.5M \$, nine (9) of which involved disputes resulting from construction works with experts' evidence.

In each of these cases the parties were represented by lawyers and the hearings lasted from half a day to more than 20 days. These hearings were mostly held in Montreal but also in Quebec City, Rouyn-Noranda and Granby. One of these arbitrations was held during the construction works at the origin of the dispute. Four arbitrations related to soil conditions.

Some of these arbitrations were governed by the rules of the Code of civil procedure and others by the rules of the Canadian Construction Document Committee (CCDC40).

Consulting:

Advises an important construction and engineering firm for the preparation of a claim resulting from the construction of private and public buildings incorporated in a 100 M \$ project in Montreal.

Advises the Marie-Victorin Cegep (college) in the management of its 17 M \$ construction project of a sports stadium in design-build mode.

Audited a 220M\$ civil engineering contract at the Voisey's Bay nickel mine project in Labrador on behalf SNC-Lavalin / BAE-Newplan Group Limited and Voisey's Bay Nickel Company Limited (Inco).

Acted as an expert for Petro-Canada, to evaluate a claim (\$1.2M) submitted by a mechanical contractor in relation with piping works carried out at its Montreal-East refinery, prepared a report and testified before an arbitration panel.

Acted as an expert retained by counsel for ING Insurance in relation with a 2M \$ liability claim against the directors of Acadia Apartments resulting from their management of the construction of an underground parking on their property.

Co-authored a report submitted to the Mulroney-Johnson *Commission d'analyse des projets d'implantation du CHUM/CUSM* in relation to the planning and cost control of the proposed construction of two university research hospitals totalling \$2.4B, in Montreal.

Audited the probity of the construction process implemented by the Department of Foreign Affairs and International Trade for the construction of the new Canadian Chancery in Manila, Philippines and submitted a report which allowed the Secretariat of the Treasury Board of Canada to validate the extraordinary process it had originally approved for the construction of this \$5M project.

Investigated, analyzed, audited and drafted an independent expert report to the Department of Foreign Affairs and International Trade (DFAIT) in relation with the process of changes used during the construction of the new Canadian Embassy in Warsaw, Poland (7,5 M U.S.D.).

Drafted an expert's report, on behalf of the *École des Hautes Études Commerciales de Montréal* (HEC Montreal), in relation with the process used by a general contractor to submit a claim of approximately \$2M against the owner for alleged delay costs, in connection with the construction of its new campus, in Montreal.

Analyzed and drafted a report containing my recommendations as an expert acting for Defence Construction Canada (DCC) in relation with a delay claim (\$ 500K) filed by a general contractor during the construction of a military installation on an air force base in Nova Scotia.

Member of the advisory board of the *Vérificateur général du Québec* on large construction projects

Training:

Advance commercial mediation training and awareness program delivered to the *Centre d'Arbitrage, de Médiation et de Conciliation de Ouagadougou* (CAMC-O) in Burkina Faso in December 2010. This project is a collaboration between the *Institut de médiation et d'arbitrage du Québec* (IMAQ), Éducadroits International and the *Université de Sherbrooke* who were chosen by the International Finance Corporation (World Bank Group) following an international call for tenders.

Mediator and member of a jury panel with two judges and the director of the ADR program for the International Pleading and Mediation contest entitled « Les 48 heures du droit de la santé » organized by the Faculty of Law of the Université de Sherbrooke and which takes place for the first time on the American continent.

3 hour course in mediation of construction disputes given within the construction law masters course at the Faculty of Law of Laval University in Quebec city, on December 7, 2009.

Two week training, in May 2009, for the arbitrators (30), mediators/conciliators (40) and staff (10) of the Centre d'arbitrage, de médiation et de conciliation (CAMEC) of Cotonou, in Benin. This program resulted from a partnership between the Université de Sherbrooke and Éducadroits International, in collaboration with the faculty of law and political science of the Abomey-Calavi University of Cotonou, following an international request for proposals from the Millenium Challenge Account-Benin (MCA-Benin).

Commercial mediation training in Senegal provided by the *Institut de médiation et d'arbitrage du Québec* (IMAQ) and the *Université de Sherbrooke* in partnership with Dakar's *Centre d'Arbitrage de Médiation et de Conciliation* and the faculty of law from the University of Dakar. Mr Pisapia was one of the four trainers with Mr. Jean Marois, president of IMAQ, and professors Marquis and Roberge, respectively

Vice-chancellor for international affairs and Director of the ADR program from the University of Sherbrooke. Attending the 5 day program in April 2008 were some 50 participants, including representatives from the Department of Justice, the Judiciary, Dakar's Bar and directors of Senegal's main economic agencies and corporations.

Two-day course on the drafting of claims given through Consultants Formation et Gestion for the benefit of the *Corporation des entrepreneurs généraux du Québec*, (Gatineau, January 2006.

EXPERIENCE

Legal counsel, mediator and arbitrator SERGE PISAPIA, LL.M., C. Med., C.Arb. Dispute resolution services, Montreal, Qc., Canada	2003 to date
Senior Consultant BOTH BELLE ROBB LIMITED Construction Management Consultants, Montreal, Qc. Canada.	2001 - 2003
Vice-President and Director of Projects CONSTRUCTION COMPANY LIMITED General contractors and Project Managers, Montreal, QC. Canada.	1981 - 2002 PISAPIA
Lawyer (commercial litigator) McALLISTER, BLAKELY, TURGEON, MESLER Attorneys, Montreal, Qc. Canada	1978 - 1980

FORMAL EDUCATION

Masters in Laws (LL.M)(ADR) UNIVERSITÉ DE SHERBROOKE, Longueuil, Qc. Canada.	2008
Graduate Diploma in "Prévention et Règlement des Différends » (ADR) UNIVERSITÉ DE SHERBROOKE, Longueuil, Qc. Canada.	2006
1 st session of MBA– UNIVERSITY OF WESTERN ONTARIO, London, Ont., Canada	1980
ADMISSION TO THE BARREAU DU QUÉBEC, Montreal, Qc. Canada	1978
Bachelor of Laws (LL.B.) UNIVERSITÉ LAVAL, Québec, Qc. Canada	1977
French Baccaureate (Sciences) COLLÈGE STANISLAS, Montreal, Qc. Canada	1974

CONTINUING EDUCATION

1 day workshops on Administration, Practice and Chairing of Dispute Resolutions Boards provided by the Dispute Resolution Board Foundation, Seattle USA, September 2011

24-hour training in transformative mediation given by Law Professor Baruch Bush from Hofstra University (New York) and Me John Peter Weldon in the continuing education program of the *Barreau du Québec*, Montreal, April 2011.

World Forum of Mediation Centres (9 hours), *Union Internationale des Avocats* (UIA), Athens, Greece, March 2011.

East Coast Annual Professional Skills Program, Straus Institute for Dispute Resolution, Pepperdine University School of Law, “*Mediating Complex Construction Disputes*” (18 hours), Woodstock, Vermont, October 2009.

“*The Evolution of the New Lawyer: Enhancing Our Skills as Negotiators and Advocates*”, (8 hours), Professor Julie Macfarlane, *Groupe de Droit collaboratif du Québec* and the *Comité de la Justice Participative du Barreau du Québec*, Montreal, October 2009

Practical training in construction law (9 hours), Canadian Bar Association, Quebec division, construction law section, Montreal, November 15 to December 15, 2005.

Multiple lunch conferences organized by the construction and ADR sections of the Canadian Bar association, Quebec division, in Montreal

Training seminar on civil and commercial mediation (40 hours), Me Serge Roy, *Service de la formation permanente, Barreau du Québec*, 2002- 2003

PROFESSIONAL MEMBERSHIP

ADR Institute of Canada Inc.

Chartered Mediator (C.Med.) and Chartered Arbitrator (C.Arb.)

Barreau du Québec

Member of the committee on participative justice from 2004 to 2009

Accredited mediator in civil and commercial matters since 2002

Canadian Bar Association

Chair of the national Alternative Dispute Resolution (ADR) section (2007-2008)

Member of the executive of the ADR section of the Quebec division since 2009

Dispute Resolution Board Foundation

Institut de médiation et d'arbitrage du Québec (IMAQ)

President and Chairman of the Board from 2009 to 2011.

President of the Construction and ADR network committees (2004-2009)

Accredited Mediator and Arbitrator since 2003

International Mediation Institute (IMI)

Certified Mediator since 2009

CONFERENCES AND ARTICLES

2011:

“*The different applications of the standby neutral concept as applied on a construction project*”, Conference on construction law, Laval University, Québec city, October 28, 2011.

“*ADR as project management tools*”, jointly with Mr.Jeffrey Edwards and Mr.Howie Clavier, PMI Matinees (Project Management Institute), Montreal, November 2, 2011

“Construction risk analysis: Contracts: transfer and sharing of risks.” Conference given jointly with Me Olivier Kott (Norton Rose) at the *Grandes Rencontres* event organized by Contech in Montreal on June 2nd, 2011.

Presentation on Dispute Review Boards, PMI Montreal construction practice group, Montreal, May 10, 2011

“The American and international models of construction dispute resolution; how to adapt them to the Quebec projects” Training on management of construction claims and disputes. Canadian Institute, Montreal, April 12, 2011

Presentation on Dispute Resolution Boards with Gerald McEniry (Revay) at *Institut de médiation et d'arbitrage du Québec* (IMAQ), Montreal, March 16, 2011.

Presentation on Dispute Review Boards at the annual congress of the Quebec General Contractors Association (CEGQ) in Montebello, Quebec, February 17, 2011

« À quand l'introduction des « standby neutrals sur les projets de construction au Québec? », IMAQ, Resolution newsletter, February 14, 2011.

2010:

Dispute Resolution Boards at the *Superconference on construction* organized by the Canadian Institute, Montreal, November 16, 2010.

« Comment assister adéquatement son client dans un processus de règlement non judiciaire de conflits : la médiation civile et commerciale », joint conference with Me Jean Marois at the Young Bar Association of Montreal's (YBAM) annual convention on May 13, 2010.

« Prévention et règlement en « temps réel » des différends de construction », Conférence sur la Gestion des litiges dans l'industrie de la construction, Canadian Institute, Montreal, May 5, 2010.

« L'évaluation impartiale appliquée dans le règlement des différends relatifs aux travaux de construction: Les « Dispute Resolution Boards », joint conference with Mr. Gerald McEniry, P.eng., from Revay & associates organized by the Canadian Bar association, Montreal, March 2010.

« Le Règlement des différends reliés aux travaux de construction », conference presented to the construction practice group of the Project Management Institute (PMI), on September 29 2009 and February 9, 2010, in Montreal.

2009 :

« Comment assister adéquatement son client dans un processus de règlement non judiciaire de conflits : la médiation civile et commerciale », workshop given jointly with Me Jean Marois at the Barreau du Québec's annual convention in Montreal, in May 2009.

« Échec des négociations : la guerre est-elle inévitable ?, 8^e journée d'étude sur les réclamations sur contrats, Université Laval, Montreal, January 2009.

2008 :

« La médiation, une alternative de choix pour régler les litiges », 4^e cours « Réclamations en construction », Federated Press Conference Centre, Montreal, November 2008.

« La médiation, démarche préférable au tribunal ? » conference given for the Barreau du Québec within the Co-ownership Congress, Convention Centre, Montreal, November 2008

« *Building abroad – procurement of construction and reconstruction projects in the international context*” member of an expert panel in a workshop given during the conference organized by The IF Research Group-grif and the *Faculté de l’aménagement* of the *Université de Montréal*, Montreal, October 2008.

Les modes alternatifs de règlement des litiges : profession médiateur, Midi conférence, Centre de développement professionnel et de placement en droit, UQAM, Montreal, September 2008

« *Le rôle d’un médiateur : jusqu’où un médiateur peut-il intervenir ?* » part of a panel with Mr. André Ladouceur and Mrs. Dominique Bourcheix, Canadian Bar Association, Montreal, February 2008.

« *Expérience québécoise dans l’implantation des modes de PRD reliés aux travaux de construction* », 2008 *Revue de Prévention et de Règlement des Différends*, Volume 6, No. 2, Éditions Yvon Blais.

« *Expérience québécoise dans l’implantation des modes de PRD reliés aux travaux de construction* » masters in ADR (LL.M) essay, *Université de Sherbrooke*, April 2008.

2006 :

« *Au-delà de la médiation et de l’arbitrage; la rencontre préalable de règlement (« convening »), l’évaluation neutre (« early neutral evaluation ») et l’équipe de prévention et de règlement des différends (« partnering »)*. jointly with Me Jean H. Gagnon, Canadian Bar Association, Montreal, December 2006.

« *Les modes de prévention et résolution des différends (PRD) propres à l’industrie de la construction* », Institut de médiation et d’arbitrage du Québec (IMAQ), Montreal, June 2006.

2005 :

Editor of the newsletter *POSSIBILITIES* published by the ADR national section of the Canadian Bar Association, for the years 2005 to 2008.

LANGUAGES

French, English, Italian.