

Curriculum Vitae of Joshua Strub, Partner, B.E.Sc (Civil), J.D.

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Selected Client Quote

“Thanks Josh. Honestly, one of the best, most complete pieces of work we have received – and we work with lawyers a lot! It was excellent and better than I hoped for going into this assignment.”

About Joshua Strub

Joshua Strub is a distinguished construction lawyer with a unique blend of private practice and in-house experience, complemented by a civil engineering degree. This combination enables him to quickly grasp complex construction issues and deliver efficient, high-quality legal advice.

Joshua has rapidly built a top-tier reputation among clients and colleagues for his expertise in construction law, particularly in handling complex construction issues and disputes on large design-build infrastructure projects. Among the most challenging and complicated infrastructure projects are those in the mass-transit industry, where Joshua’s experience and skills are unmatched.

Joshua’s accolades include recognition by Best Lawyers, ranking by Lexpert, identification as a Future Star by Benchmark Litigation, and recognition as a Thomson Reuters Stand-Out Lawyer. His firm, Margie Strub Construction Law, has been ranked by Statista and the Globe and Mail as one of Canada’s top law firms for construction law. Most importantly, Joshua consistently delivers results for his clients, who continue to trust him with their high-value legal issues and recommend him to others.

Joshua's practice spans the entire construction lifecycle, from advice on project delivery models, to contract drafting and negotiation, to dispute resolution. His skills are uniquely tailored to navigating the strategic complexities of design-build infrastructure projects and delay claims, ensuring optimal management of disputes during ongoing construction projects.

Before co-founding Margie Strub Construction Law, Joshua managed the nationwide legal affairs for Canada’s largest full-service track and signal construction and maintenance provider. He focused on high-profile transit infrastructure projects and gained a deep understanding of collaborative contracting principles from his involvement in Canada’s first alliance contract. Joshua’s goal is to see projects succeed and Joshua has been instrumental in educating the market on the benefits of collaborative contracting.

Joshua began his legal career at a mid-sized construction law firm in Toronto, representing clients across Canada in all forms of construction dispute resolution. His early career involved handling large, complex infrastructure disputes with claim values up to \$1 billion.

Joshua is a frequent speaker at industry events and conferences, including the Ontario Bar Association, Canadian Bar Association, Construction Superconference, Canadian Institute, and Canadian Institute of Quantity Surveyors. In 2019, he co-founded and continues to teach the Construction Law course at Western Law in London, Ontario.

Education and Bar Admission

Member of the Law Society of Ontario	2015-Present
<i>Called to the Ontario Bar</i>	2015
The University of Western Ontario, London, Ontario, Canada	
<i>Juris Doctor</i>	2014
<i>Bachelor of Engineering Science, Civil Engineering with Distinction</i>	2014

Selected Project Experience

Bidding, Procurement, and Contracting

- Collaborative/Alliance Contracting and Progressive Design-Build
 - Lead counsel for OneUnion Alliance in pursuit of the alliance contract for the Union Station Enhancement Project
 - Counsel to a consulting firm providing advice to proponents of the High Speed 2 (HS2) Project in the UK, involving NEC3 contracts between HS2 and the selected proponents as well as an overarching alliance agreement between HS2 and the 14+ selected proponents
 - Counsel to an underground mining company selected for a collaborative contract in the nuclear energy industry
 - Counsel to consortiums involved in progressive design-build transit projects
- Contract Strategy and Contract Drafting
 - Provided advice to numerous developers on the best contract structure to drive value and limit risk to the developer, both when performing construction in-house and when contracting to a third party contractor/construction manager
 - Prepared and negotiated both bespoke contracts and supplementary conditions to CCDC contracts for a wide range of projects
- Subcontracting and Procurement
 - Developed a suite of subcontracts for use by a large specialty contractor to address various subcontract relationships and risk profiles, inclusive of multiple options for provisions that could be modified to suit the needs of the specific relationship
 - Developed suites of subcontracts, consulting agreements, and purchase orders for use by design-build transit consortiums
 - Developed procurement forms for procuring proposals and prices from subcontractors and vendors
- Partnerships and Joint Ventures
 - Developed and negotiated a partnership agreement between an EPC contractor and a track installation trade along with the subcontract between the EPC contractor and the partnership for a new 40km+ LRT project in Quebec
 - Developed and negotiated a joint venture agreement for the pursuit of a regional rail transit project in Ontario
 - Developed and negotiated teaming agreements and memorandums of understanding for pursuits of design-build projects

- Operations and Maintenance
 - Negotiated extensions to long-term track and signal maintenance agreements for regional rail transit in Ontario
 - Represented a client in pursuing of a subcontract for the long-term maintenance of the track and signal system of a new LRT project
- Residential Development
 - Counsel for numerous developers negotiating fixed price contracts, construction management agreements, and design services agreements, for various condominium and retirement home development projects
- Commercial and Industrial Development
 - Counsel for developers in negotiating and restructuring construction management and design services agreements for development of various commercial and industrial facilities

Dispute Advisory:

- Lead counsel for a design-build consortium, providing course-of-project claims and dispute advice and services in respect of both upstream and downstream issues, including substantial delays, cost overruns, and supply chain and COVID-19 impacts
- Lead counsel in an ICC arbitration related to delays, productivity losses, abandonment and termination, between a design-build contractor and a subcontractor
- Lead counsel in an ad-hoc arbitration relating to delays, change in conditions, and disputed extras associated with a subcontractor's installation for an LRT project
- Lead counsel in an ad-hoc arbitration relating to delays and disputed extras associated with a design-build subcontract for an operations, maintenance, and storage facility
- Lead counsel in an ad-hoc arbitration of delay and cost overruns claims related to system integration of a microprocessor-based fixed-block signalling system
- Lead counsel in a dispute related to ductbank installations on an LRT project
- Lead counsel in a dispute between a structural steel subcontractor and a design-builder of a large entertainment facility
- Lead counsel for a subcontractor in a dispute with an LRT consortium related to delayed handover of grade in the construction of a maintenance and storage facility
- Lead counsel for a subcontractor in a dispute with an LRT consortium related to delayed handover of grade and concrete finishing issues for embedded rail on mainline transit track construction
- Lead counsel for a track construction joint venture in managing delay and disruption claims related to delay and disruption claims on an LRT project
- Lead counsel for a track and signalling contractor in a dispute concerning the Union Pearson Express Project, related to track construction issues, design deficiencies, system integration (between a platform edge door system and the train control system), and delay claims
- Counsel for a tunneling contractor in a dispute with Metrolinx related to the tunneling of the western portions of the Eglinton Crosstown
- Counsel for an EPCM contractor in an ad-hoc arbitration in defence of a \$1Bn+ delay and additional cost claim related to a nickel processing facility
- Counsel for a general mechanical contractor in an international UNCITRAL arbitration, in defence of a \$220M delay and additional cost claim related to a sour gas processing facility

Organizations and Memberships

University of Western Ontario, Western Law <i>Adjunct Professor – Construction Law</i>	2019-Present
Transit Rail Association for Canadian Contractors, Maintainers and Standards (TRACCS) <i>Adviser</i>	2024-Present
<i>Associate Director</i>	2021-2023
Camp Ramah in Canada <i>Chair of the Physical Plant Committee</i>	2021-2024
<i>Chair of the Governance Committee</i>	2019-2021
<i>Board Member</i>	2016-2024
Ontario Bar Association <i>Technology Liaison, Construction Law Section Executive Member</i>	2022-Present 2014-Present
Canadian Bar Association <i>Construction Law Section Executive Member at Large</i>	2016-2018, 2021-Present

Selected Publications and Speaking Engagements

Panelist, The Canadian Institute, 17 th National Conference on Navigating Risk in Construction Contracts & Projects: Mastering Supplementary Conditions and Change Orders to Avoid the “Franken” Contract, Resolve Disputes and Prevent Legal Action	2025
Panelist, Construction Superconference: Concurrent Delays: Take the Time, I’m Not Paying a Dime	2024
Speaker, Canadian Institute of Quantity Surveyors 2024 Congress: The Real Public Private Partnership: Alliancing	2024
Panelist, Canadian Institute, 16 th National Conference on Navigating Risk in Construction Contracts & Projects: Uncovering the Core Features of Integrated Project Delivery, Alliance, and Progressive Design Build: A Blueprint for Critically Assessing the Suitability of These Contracts for Your Project	2024
Panelist, Canadian Bar Association, Construction and Infrastructure Law Conference 2023: Current Trends in Mid-Project Dispute Resolution	2023
Panelist, Canadian Institute, 7 th Annual Conference on Managing Risk in Construction Contracts & Projects, Eastern Canada Edition: Mastering the Use of Experts in ADR and Litigation	2023
Workshop Panelist, Canadian Institute, 7 th Annual Conference on Managing Risk in Construction Contracts & Projects, Eastern Canada Edition: Art of Construction Contract Negotiations	2023
Author, Does a Terminated Contract “Cease to Exist”	2022

Author, Joining Ontario breach of Trust and Lien Claims in the Same Action – An Evolving Landscape	
Panelist, Construction Superconference: The Real Public Private Partnership: Alliancing, the Future for Complex Infrastructure Projects	2022
Panelist, Canadian Institute of Quantity Surveyors 2024 Congress: Lessons Learned from Alternative Finance and P3 Projects in Canada	2022
Panelist, Transit Rail Association for Canadian Contractors, Maintainers and Standards: Alliance Contracting – Pros, Cons, and Lessons Learnt	2021
Author, Alliance Contracting – A Collaborative Project Delivery Model	2022
Author, Failure of Applicant to Comply with Adjudicator’s Decision Results in Divisional Court Dismissing Application for Judicial Review	2022
Author, “Exaggerated Lines” – Abuse of the Process or Not?	2022
Author, “Fixed Price” or “Not Fixed Price”? That is the Question	2022
Author, Settlor Beware: A Full Settlement of Contractual Claims May Waive Your Right to Holdback Funds	2022
Author, Does Project-Specific Wrap-Up Insurance Automatically Protect You as a Subcontractor?	2022
Panelist, The Canadian Institute, 13 th Annual National Symposium on Managing Risk in Construction Contracts & Projects: Think Tank on Effective Project Management in a COVID Era – From Force Majeure to Defending Against Delays and Impact-Related Claims	2021
Author, Cost Savings and Profit Sharing – Are they Liable?	2021
Author, Priorities for Liens and Arrears of Prior Mortgages	2021
Podcast Guest, Wealth Navigator Podcast – Construction Law and Real Estate Investing with Josh Strub	2021
Co-Speaker, Ontario Bar Association, Construction Law Primer: Common Issues that Lead to Disputes and Claims	2020
Panelist, Ontario Bar Association and Canadian Corporate Counsel Association: Industry Focus for In-House Counsel - Construction	2019
Panelist, Construction Superconference: Gold Standard in Forensic Scheduling Analysis	2019
Panelist, Canadian College of Construction Lawyers: Implications of USMCA on the Construction Industry	2019
Podcast Guest, Building Insights: Episode 11, Prompt Payment	2019
Panelist, Canadian Bar Association Construction Law Section Conference on P3s: Procurement in Public Infrastructure Projects	2018

Panelist, Construction Superconference: Liquidated Damages, An Evolving Landscape	2018
Panelist, Construction Superconference: Leveraging the In-House and Outside Counsel Relationship	2016
Author, Construction Law Letter, Volume 32, Number 1: Expert Evidence – The Threshold Test	2015
Author, Construction Law Letter, Volume 32, Number 2: Court of Appeal Pulls Rug Out From Under Fraudsters	2015