



Denis Chamberland
EthicScan Associate
Partner, Fogler Rubinoff LLP
Role: Municipal and Health Sector Law Specialist

PROPOSED CONTRIBUTION	Health Care Ethics Assurance	Independent Municipal Government Investigations	Compliance Assessment	Municipal Administrative Law	Partnering And Procurement
Major	X	X	X	X	X
Minor			X		

Practice Description:

Denis Chamberland is a commercial lawyer with over 20 years of experience working in the public sector on a variety of commercial projects, including health/hospitals, municipal water & wastewater, solid waste collection and recycling, and design-build projects. In addition to his transactional, project-based, practice, Denis has pioneered the development of public procurement law in Canada, including the role of procurement Fairness Commissioner. Denis acts as a Fairness Commissioner on larger projects, but also in circumstances where he is brought in to investigate the facts, interview the relevant individuals involved in the complaint or dispute, and render his advice to the public agency.

He also advises on the ethical considerations arising from the various global anti-corruption statutes (the Canadian Corrupt Foreign Public Officials Act, the U.S. Foreign Corrupt Practices Act, and the U.K. Bribery Act, 2011). In this connection, he has led investigations into client practices, provided training on ethical and compliance business practices, and advised senior executives. He works closely with a former senior executive of CSIS (Canadian Security Intelligence Service), working with Canadian companies in implementing their business objectives in emerging markets.

Denis lectures widely on a number public policy themes, including ethics and accountability, conflicts of interests in the public sector, and the evolving area of corporate responsibility and governance. For a number of years, he was the Editor of the Global Public Procurement Handbook of a one of the world's largest law firms, which was is sponsored by the United Nations Commission on International Trade Law (UNCITRAL), which praised the Handbook for promoting ethics in business and for "distilling ideal norms and best practices". Denis is currently writing a book on the ethical, legal and governance practices in public procurement in China that will be published in English and Mandarin and is expected to offer a useful educational and training tool for all public agencies in China, including municipalities.

Denis is currently recognized in *Chambers Global: The World's Leading Lawyers for Business* in the Public Procurement category (ranked in Band 1); in *Who's Who Legal – The International Who's Who of Public Procurement Lawyers*, and in *Best Lawyers in Canada* in the Public Procurement category.

Representative work includes:

- Advising numerous smaller municipalities on complaints regarding their commercial business practices, including investigating the facts and generally making inquiries, examining individuals, inspecting and reviewing documents, and reporting to Council.
- Working with a large municipality on all aspects of a public-private partnership on a design-build-operate project for an organic waste processing facility to allow the municipality to comply with environmental regulations and become a regional hub for the processing of organic waste.

Working with Humber River Regional Hospital on a \$425 million public-private partnership involving the contracting out of the financing, procurement, installation, commissioning and maintenance of the hospital's medical equipment over 15 to 25 years.

- Working with a large municipality on all aspects of a public-private partnership on a design-build project for the construction of a large municipal parkade.
- Advising the Ontario Waste Management Association (OWMA) on a variety of matters, including best contracting practices between municipalities and private sector suppliers.
- Working with the Ontario Ministry of Finance on the Supply Chain Guideline and its successor, the BPS Procurement Directive, including holding public consultations with public sector organizations approaches to doing business with the private sector.
- Advising one of Canada's largest municipalities (in the top four) on the sourcing of a large VOIP infrastructure solution where the proponents represented Canada's most prominent technology and telecommunications companies.
- Working with one of Canada's largest telecommunications companies on a large outsourcing for the IT infrastructure of a Provincial Government in Western Canada.
- Working with the Ontario Hospital Association on a 3-year mandate to establish and advise on the OHA's practices in several areas, including advising on the ethical and fairness aspects of certain commercial arrangements.

Select Publications and Presentations:

Denis has published over 260 articles on ethics and accountability, infrastructure, procurement and outsourcing projects in many national and international publications, including *International Lawyer*, *Ivey Business Journal* and *Summit Magazine*. For the last 11 years, he has authored the monthly column 'Procurement Zone' in the national publication *Municipal World*. He is also the author of the book entitled '*Procurement: A Practical Guide for Canada's Elected Municipal Leaders*' and his new book on the ethical, legal and governance practices in public procurement in China will be published next year in English and Mandarin. Denis is a sought-after speaker at professional, industry and continuing legal education conferences.

Education & Bar Admittance:

Denis studied international affairs at York University (Glendon College), Hebrew University of Jerusalem, Israel (B.A.), the University of Toronto (M.A.) and he studied law at the Faculties of Law of McGill University and the University of Ottawa. He was admitted to the Ontario Bar in 1991.

Position	Employer	Dates
Partner	Fogler, Rubinoff LLP	March 2013 to present
Partner	Baker & McKenzie LLP	March 2010 March 2013
Partner	Aird & Berlis LLP	July 2004 to March 2010
Executive	MES Advisory Services	February 2012 to present