

**1. GENERAL**

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- 1.1 The Public Works Act (Alberta) applies to this Project. The Builders' Lien Act (Alberta) does not apply.
- 1.2 The Public Works Act allows any person who has not received proper payment, regardless of their level in the contracting chain, to make a claim directly to the Minister.
- 1.3 This Section specifies procedures for making a claim under the Public Works Act.
- 1.4 For the purpose of interpreting the "Notice of Claim" provisions under Section 14 of the Public works Act, this Contract shall be deemed to be a contract for work *other than* a highway or road as defined in section 1 of schedule 14 of the Government Organization Act. The 45-day claim period as set out in Section 14(3)(a) shall apply.

**2. POSTING OF CLAIMS INFORMATION**

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- 2.1 Contractor shall display, at the Site, on a bulletin board of adequate size, a copy of each of the following:
  - .1 This Specification Section.
  - .2 Notice of Public Works Act Claim Form (copy appended to this Section).
  - .3 Labour and Material Payment Bond, if provided under the Contract.
- 2.2 Protect display in plastic sleeves and maintain in legible condition for duration of Contract.
- 2.3 The Minister may, upon request, waive the requirement to post claims information where it is not practicable to display this information at the Site.

**3. CLAIMS PROCEDURE**

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- 3.1 Complete Notice of Public Works Act Claim form (copy appended to this Section) and submit form to address indicated on form within 45 Days after the last day on which labour, equipment, material or services giving rise to claim were provided.
- 3.2 Minister will acknowledge receipt of claim in writing.
- 3.3 The claimant shall, if requested by Minister, submit additional evidence in support of claim.

**4. EXTRACT FROM PUBLIC WORKS ACT**

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Notice of claim

**14(1) When**

(a) a person provides labour, equipment, material or services used or reasonably required for use in the performance of a contract with the Crown for the construction, alteration, demolition, repair or maintenance of a public work, and

(b) that person is not paid by the party who is legally obliged to pay that person, that person may send a notice of that person's claim to the Minister, or agent of the Crown that is responsible for the public work.

(2) Omitted from this extract. Not applicable to this

*Contract.*

(3) The notice of claim, other than for a claim referred to in subsection (2), must

(a) be sent by registered mail not later than 45 days after the last day on which the labour, equipment, material or services were provided, and

(b) set out the nature and amount of the claim in a form satisfactory to the Crown.

**END OF SECTION**