

September, 2019

Adjudico

● EXPERT SERVICES ●

Construction Adjudication in Ontario ODACC Sets Out Recommended Processes & Fees Did You Know...

This is further to the related *Adjudication Awareness Bulletin* (August 2019) titled “Construction Adjudication in Ontario – Update on the ANA & ODACC” with respect to the Construction Act that came into force in Ontario in 2017.

1. ADR Chambers is the Authorized Nominating Authority (“ANA”) in Ontario as announced by the Ministry of Attorney General (“MAG”) on July 18, 2019.
2. ADR Chambers announced on August 22, 2019 that the ANA will be known as Ontario Dispute Adjudication for Construction Contracts (“ODACC”) and its services will be available across Ontario.
3. ODACC will commence operation on October 1, 2019, at which time ODACC Adjudicators will be available to provide expedited determinations. ODACC has recommended the following **processes and fees**:

Description	Process 1	Process 2	Process 3	Process 4	Process 5
Written submission by the Parties <i>Note: Not including a copy of the construction contract and disputed invoice which must be provided.</i>	✓ (2 pages maximum)	✓ (5 pages maximum)	✓ (5 pages maximum)	✓ (10 pages maximum)	
Adjudicator’s reasons for determination	✓ (Half of one page)	✓ (1 page maximum)	✓ (2 pages maximum)	✓ (4 pages maximum)	
Additional documents provided by the Parties <i>Note: May include parts of documents or witness statements.</i>			✓ (10 pages maximum)	✓ (25 pages maximum)	
Oral presentation by the Parties <i>Note: Will be conducted (not in person) by ADRC eVideo, Skype or teleconference.</i>				✓ (30 min. maximum)	
Teleconference convened by Adjudicator <i>Note: The Adjudicator will convene a teleconference with the parties to establish the process and rules for the adjudication and set a timeline.</i>					✓
Adjudicator’s written determination forwarded to ODACC for review	✓	✓	✓	✓	✓
Adjudicator’s written determination released to the parties	✓	✓	✓	✓	✓
Recommended Adjudicator Fee	\$800	\$1,000	\$2,000	\$3,000	Hourly Rates (\$250 to \$750)

Watch this space: **Adjudication Awareness Bulletins** will follow!

Note: This Adjudication Awareness Bulletin is issued for informational purposes only and does not constitute legal advice. Further, Adjudico Inc. is not liable for reliance by any party in respect of any and all statements contained within this Adjudication Awareness Bulletin.

www.adjudico.ca