Include this Agreement Form in the bid documents for all building construction and renovation projects, except where a combined Bid and Contract Form is used (e.g. use of SPMS Section 00 41 14 or 00 41 49 eliminates the need for a separate Agreement Form on small projects).

The Agreement Form is the legal instrument which is typically signed by an owner and a contractor subsequent to contract award. A legally binding contract is actually created when the Province accepts, without qualification, the Contractor's bid. However it is this Agreement Form, which when subsequently signed by the parties, formalizes the Contract and confirms the Contractor's intention to be bound by its provisions.

Editing: This Section is not intended to be edited. Include in the Bid Documents as is. Blank spaces are intended to be filled in after contract award.

This Master Specification Section contains:

.1 This Cover Sheet

.2 Agreement Form Text

**Change made in this Update (2018-05-30):**

1. Change in pronoun for Minister’s duly authorized representative.

**Changes made in this Section Update (2017-06-09):**

1. A table for Contract ID, Project ID and Plan Number has been added at the end of the agreement form.

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**AGREEMENT BETWEEN HER MAJESTY THE QUEEN AND CONTRACTOR**

**This Agreement** made on the \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_in the year \_\_\_\_\_\_\_\_

**by and between**

Her Majesty the Queen in the right of Alberta, as represented by the Minister of Infrastructure, hereinafter called the "Province"

**and**

|  |
| --- |
|  |
| Name of Contractor |
|  |
| Address |

hereinafter called the "Contractor".

The Province and the Contractor agree as follows:

1. - THE WORK

The Contractor shall perform the Work required by the Contract Documents for:

|  |
| --- |
|  |
| Title of the Work and the Project |
|

|  |  |
| --- | --- |
| and for which |  |

 |
|

|  |
| --- |
| Name of Consultant |

 |

is acting as the Consultant, and is hereinafter called the "Consultant", and do and fulfill everything indicated by this Agreement.

1. - CONTRACT DOCUMENTS

The Contract Documents referred to in Article 1 of this Agreement are further defined in the Definitions portion of the Conditions of Contract but are generally comprised of the following:

* The Letter of Contract Award
* This Agreement Form, once executed by both parties
* Amendments, if any, made prior to execution of the Agreement Form
* Conditions of Contract
* Issued Specifications
	+ Portions of Division 0 that have application during the performance of the Contract
	+ Divisions 1 to 50
* Issued Drawings
* Schedules
* Subsequent amendments made in accordance with the provisions of the Contract.
1. - CONTRACT TIME

The Contractor shall attain Interim Acceptance of the Work by the \_\_\_\_\_\_\_ day\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in the year \_\_\_\_\_\_\_\_.

1. - CONTRACT PRICE

The Contract Price is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ dollars and\_\_\_\_\_\_\_\_\_ cents (\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_) in Canadian funds.

1. - GOODS AND SERVICES TAX

The Province represents and warrants that, as the purchaser of the goods and services provided under this Contract, no amount payable under this Contract is subject to Goods and Services Tax (GST) or harmonized Sales Tax (HST) under Part IX of the Excise Tax Act (Canada) as amended. The Government of Alberta’s GST Registration Number is 1240 72513 RT0001.

1. - PAYMENT

The Province shall make payments in Canadian funds to the Contractor on account of the Contract Price in accordance with the Payment Conditions and other applicable provisions of the Contract Documents.

1. - SUCCESSION

The Contract Documents are to be read into and form part of this Agreement and the whole shall constitute the Contract between the parties, and subject to the law and the provisions of the Contract Documents shall enure to the benefit of and be binding upon the parties hereto, their respective heirs, legal representatives, successors and assigns.

The Parties have made this Contract

|  |  |  |
| --- | --- | --- |
| HER MAJESTY THE QUEEN IN RIGHT OF ALBERTA, as represented by the Minister of Infrastructure |  | (Name of Contractor) |
| Per: |  | Per: |
|  |  |  |
| Signature |  | Signature |
| SIGNED by the Minister of Infrastructure of the Province of Alberta, or the duly authorized representative. |  | SIGNED by the duly authorized representative of the Contractor who has authority to bind the Contractor. |
|  |  |  |
| Print Name |  | Print Name |
|  |  |  |
| Title |  | Title |
|  |  |  |
| Date |  | Date |

|  |  |  |
| --- | --- | --- |
| **Contract ID:** |  |  |
| **Project ID:** |  |  |
| **Plan No:** |  |  |
|  |  |  |