

## Section Cover Page

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2004-12-15

Section 00639  
Public Works Act Claims

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Include this Section on all projects that are subject to the Public Works Act, except small projects for which the Small Projects Master Specification is used.

Use this Section as is; do not modify in any way.

This Master Specification Section contains:

- .1 This Cover Sheet
- .2 Master Specification Text:
  - .1 General
  - .2 Posting of Claims Information
  - .3 Claims Procedure
  - .4 Extract from Public Works Act
- .3 Attachments:
  - .1 AIT/MS Form 00639A - Statement of Public Works Act Claim

**1. GENERAL**

- .1 The Public Works Act (Alberta) applies to this Project. The Builders' Lien Act (Alberta) does not apply.
- .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.
- .3 This Section specifies procedures for making a claim under the Public Works Act.

**2. POSTING OF CLAIMS INFORMATION**

- .1 Contractor shall display, at the Place of the Work, on a bulletin board of adequate size, a copy of each of the following:
  - .1 This Specification Section.
  - .2 AI/MS Form 00639A - Statement of Public Works Act Claim (copy appended to this Section).
  - .3 Labour and Material Payment Bond, if provided under the Contract.
- .2 Protect display in plastic sleeves and maintain in legible condition for duration of Contract.
- .3 The Minister may, upon request, waive the requirement to post claims information where it is not practicable to display this information at the Place of the Work.

**3. CLAIMS PROCEDURE**

- .1 Complete Statement 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.
- .2 Minister will acknowledge receipt of claim in writing.
- .3 The claimant shall, if requested by Minister, submit additional evidence in support of claim.

**4. EXTRACT FROM PUBLIC WORKS ACT**

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**

## Statement of Public Works Act Claim

Submit completed claim form to:

Tender Administration, Technical Services Branch,  
Alberta Infrastructure and Transportation,  
Main Floor, 6950-113 Street, Edmonton, Alberta T6H 5V7  
Telephone: (780) 427-3962 Fax: (780) 422-9686

### Claimant

Name				
Address				
City or Town	Province	Postal Code	Telephone	Fax

### Project

This claim is made in respect of the following project (location and description):

### Details of Claim

1	Our contract is with (name of contractor):
2	This claim is made in respect of the following work (provide short description of work performed):
3	<p>Time:</p> <p><input type="checkbox"/> The work related to this claim was fully performed on _____  Month (name of) Day Year</p> <p>OR</p> <p><input type="checkbox"/> The work related to this claim is not yet fully performed but payment for work performed to _____  Month (name of) Day Year</p> <p>has not been received as of _____  Month (name of) Day Year</p>
4	<p>Amount</p> <p>The amount of this claim is \$ _____, which includes \$ _____ in holdback monies.</p>
5	<p>Declaration:</p> <p>I, the undersigned, am or represent the claimant named above and declare that the information provided is true and correct;</p> <p>_____  Name of declarant (please print)</p> <p>_____  Signature of declarant</p>

### For Alberta Infrastructure and Transportation Use Only

Contract ID.:	Plan No. or Building No.:	Project ID:	Date Received:	Date Acknowledged:
Comments:				