

A person has multiple options to recover monies not paid by the party legally obligated to pay the person for labour, equipment, materials or services used or reasonably required to be used in the performance of an Alberta Transportation contract for the construction, alteration, demolition, repair or maintenance of a public work. A person may submit a claim under the Public Works Act (Alberta) and/or the Labour and Materials Payment Bond or take other legal actions.

Public Works Act (Alberta) Claims

It is recommended a person (claimant) seek legal advice and/or carefully read the requirements to claim under the Public Works Act (Alberta) (“Act”). For highway and bridge construction public works, there is also additional information in Section 1.2.36 (Notice of Claims Information) as amended and updated from time to time of the General Specifications, Specification Amendments and Supplemental Specifications for Highway and Bridge Construction (Edition 15, 2013) as amended and updated from time to time which can be found on the Alberta Transportation website.

The Public Works Act (Alberta) has strict timelines for a person to submit a claim depending on the type of public work. These timelines must be followed. The Act also sets out the information to be included in the claimant’s claim. The notice of claim, and supporting documents should be sent by registered mail to:

Tender Administration
1st Floor, Twin Atria Building
4999 – 98 Ave
Edmonton, Alberta
T6B 2X3
ATTN: Alberta Transportation’s Senior Technologist, Contract Claims and Securities

A sample form for a notice of claim under the Public Works Act can be found on the Alberta Transportation website. Claims submitted in other formats will also be accepted; as long as the claim complies with the Act.

Labour and Materials Payment Bond

Under the terms of the contracts for Alberta Transportation public works, a copy of the Labour and Materials Payment Bond must be made available to all claimants by the prime contractor. A claimant may also contact Alberta Transportation’s Senior Technologist, Contract Claims and Securities (contact information set out below), to obtain a copy of the bond.

Please refer to the Labour and Materials Payment Bond for information regarding the requirements and the time lines for submitting a claim under the bond.

Other Options

A person may seek legal advice or take other legal actions.

For any inquiries regarding a Public Works Act claim or a Labour and Materials Payment Bond for an Alberta Transportation public work, please contact Alberta Transportation’s Senior Technologist, Contract Claims and Securities at (780) 427-2091.