

July 2, 2020

Honourable Nate Glubish
Minister of Service Alberta
Transmitted via: ministersa@gov.ab.ca

Dear Minister Glubish:

Re: Prompt Payment Adjudicating Body

Our respective organizations represent the commercial construction association of Alberta. We would like to thank you for the prompt pay consultation process – to date it has been comprehensive, open, and unbiased. We strongly support your commitment to introducing legislation in Fall 2020.

Together our memberships represent the supply chain for which prompt payment adjudication is most relevant. We wish to advise of our collective desire to partner as industry associations to act as an adjudicator nominating body. We share the following beliefs concerning adjudication of construction payment disputes:

- Alberta's legislation should embrace the concept that parties to the dispute should be given the opportunity to jointly agree on selecting the adjudicator. This is a fundamental protection for all parties
- There should not be a single nominating body – we fundamentally disagree with Ontario's monopoly model
- Adjudicators must possess significant construction experience and be well respected by their industry peers
- There should not be a single provider of adjudicator training
- There should be a basic test of competency that is a baseline for all adjudicators, regardless of where they gained their skill
- Our guiding principle as member driven industry associations will be to ensure effective, fair, and affordable service to industry, rather than as a new line of revenue which may be true of individuals or organizations that earn their living from dispute resolution
- We are in the process of exploring a partnership to ensure owners are included

Please ensure that the proposed legislation this Fall embraces these principles and that we can establish an approved nominating body. We would be pleased to discuss this further, and you can contact Ken Gibson (780-233-6738, ken.gibson@albertaconstruction.net) to arrange such discussion. Thank you.

Sincerely,



Frederick Vine, Chairman, Alberta Construction Association



Jason Portas, General Contractors Alliance of Canada, Alberta Chapter



Terry Milot, Chairman, Alberta Trade Contractors Coalition