



Ontario Dispute Adjudication for Construction Contracts

2001 Sheppard Avenue East, Suite 200
Toronto, ON M2J 4Z8
Email: authority@odacc.ca
Tel: 416-307-0008 | Toll Free: 1-888-221-3721
Fax: 416-362-8825 | Toll Free Fax: 1-877-862-8825
www.odacc.ca

NOTICE OF CONSOLIDATION*

Construction Act, R.S.O. 1990, c. C.30

**This form is to be used by Contractors to consolidate adjudications pursuant to section 13.8(2) of the Construction Act.*

INFORMATION OF CONTRACTOR REQUESTING CONSOLIDATION

Company Name and Operating Name (if Operating Name is Different):

Name of Individual:

Email:

Phone Number:

Title:

Address:

CONTRACTOR'S REPRESENTATIVE'S INFORMATION

Name of Individual of contractor's representative:

Email:

Phone Number:

Company/Firm name:

Title:

Address:

☐ I am the Contractor for all the adjudications listed in this Notice of Consolidation.

Number of adjudications to be consolidated:*

**The Notice of Consolidation allows a Contractor to enter information on three adjudications. To consolidate four or more adjudications, attach an "Attachment to Notice of Consolidation Form" to the Notice of Consolidation (for each additional adjudication). The Attachment to Notice of Consolidation Form is available at: <https://odacc.ca/en/claimants/procedural-matters/>.*

ADJUDICATIONS TO BE CONSOLIDATED

First Original Adjudication Case Number: _____

Is the Contractor the Claimant or Respondent to this adjudication?

Claimant ☐ Respondent ☐

OTHER PARTY'S CONTACT INFORMATION

Provide the other Party's contact Information. (If the Contractor is the Claimant, please provide the Respondent's information; if the Contractor is the Respondent, please provide the Claimant's information.)

Company Name and Operating Name (if Operating Name is Different):

Name of Individual: _____

Title:

Email: _____

Phone Number: _____

Address:

Description of First Adjudication

Disputed Amount: _____

Please provide a brief description of the dispute, including details respecting how and when the dispute arose (*to a maximum of 250 words*):

Please provide a brief description of the nature of the redress sought (*to a maximum of 50 words*):

☐ A copy of the original Notice of Adjudication is attached to this Notice of Consolidation.

Second Original Adjudication Case Number: _____

Is the Contractor the Claimant or Respondent to this adjudication?

Claimant ☐ Respondent ☐

OTHER PARTY'S CONTACT INFORMATION

Provide the other Party's contact Information. (If the Contractor is the Claimant, please provide the Respondent's information; if the Contractor is the Respondent, please provide the Claimant's information.)

Company Name and Operating Name (if Operating Name is Different):

Name of Individual: _____

Title:

Email: _____

Phone Number: _____

Address:

Description of Second Adjudication

Disputed Amount: _____

Please provide a brief description of the dispute, including details respecting how and when the dispute arose (*to a maximum of 250 words*):

Please provide a brief description of the nature of the redress sought (*to a maximum of 50 words*):

☐ A copy of the original Notice of Adjudication is attached to this Notice of Consolidation.

Third Original Adjudication Case Number: _____

Is the Contractor the Claimant or Respondent to this adjudication?

Claimant ☐

Respondent ☐

OTHER PARTY'S CONTACT INFORMATION

Provide the other Party's contact Information. (If the Contractor is the Claimant, please provide the Respondent's information; if the Contractor is the Respondent, please provide the Claimant's information.)

Company Name and Operating Name (if Operating Name is Different):

Name of Individual: _____

Title:

Email: _____

Phone Number: _____

Address:

Description of Third Adjudication

Disputed Amount: _____

Please provide a brief description of the dispute, including details respecting how and when the dispute arose (*to a maximum of 250 words*):

Please provide a brief description of the nature of the redress sought (*to a maximum of 50 words*):

☐ A copy of the original Notice of Adjudication is attached to this Notice of Consolidation.

INFORMATION ON THE IMPROVEMENT

☐ I confirm that all the adjudications listed in this Notice of Consolidation relate to the same matters or related matters of the same Improvement.

Name of Improvement:

Physical Address of Improvement:

PROPOSED ADJUDICATOR

I suggest the following Adjudicator to conduct the consolidated adjudication*:

**Proposed Adjudicator must be a Certified ODACC Adjudicator on ODACC's Adjudicator Registry, available at <https://odacc.ca/en/adjudicator-registry/>.*

☐ I agree that communications, documents and the Determination (the "Information") shared or disclosed in the adjudication shall not be disclosed to anyone who is not a Party to the adjudication, except in the following limited specified circumstances:

- where the Information is required in a subsequent adjudication respecting the same Improvement;
- where a Party applies to a court or to an arbitral tribunal to consider matters dealt with in the adjudication;
- pursuant to an order of a court of competent jurisdiction or where the disclosure is required by law;
- where the Information is otherwise in the public domain;
- where the person to whom the Information is disclosed is a legal or financial advisor to a Party to the adjudication;
- where the person to whom the Information is disclosed is involved in the adjudication (such as a contract administrator, an expert or a witness in a hearing);
- with the consent of all of the Parties to the adjudication; and
- where the Information suggests that there will be actual or potential threat to human life or safety or where the disclosure is required in order to prevent the commission of a crime.

- ☐ I consent to potential adjudicators being given the information in the Notice of Consolidation to allow them to determine whether they have a conflict of interest and whether they are prepared to adjudicate the dispute. I confirm that there is no confidential information in the Notice of Consolidation that cannot be seen by potential adjudicators.
- ☐ I agree to pay the retainer amount within seven days of receiving the notice from ODACC that the retainer amount is due. I also agree to pay any additional fees and costs related to the adjudication (beyond the amount paid as a retainer) within fourteen days from the date the Determination is issued to the Parties. Please click here for more information: <https://odacc.ca/en/claimants/payments/>.

Signature

Date

I have authority to bind the Contractor
(if the Contractor is an organization)

Printed Name of Person Signing

Position of Person Signing

**NOTICE TO
RESPONDENTS
OF NOTICE OF
CONSOLIDATION:**

Pursuant to section 13.8(2) of the *Construction Act*, the Contractor has required the consolidation of all the adjudications listed in this Notice of Consolidation.

The Adjudicators of the adjudications that were consolidated are deemed to have resigned from the adjudications (s. 19.(2)(b) of *Ontario Regulation 306/18*). The adjudications that were consolidated will be closed, following payment of the Adjudicators' fees (s. 24.(4) of *Ontario Regulation 306/18*).

"The requirement under section 13.11 of the Act, as modified by subsection 13.8 (3) of the Act, to provide documents to the adjudicator and to every other party applies with respect to each of the parties who gave the notice of adjudication in each adjudication being consolidated" (s. 19.(5) of *Ontario Regulation 306/18*).

Please visit the following page for further information about consolidations:
<https://odacc.ca/en/respondents/procedural-matters/>

Instructions to Contractor Requesting Consolidation

Step 1: Complete Notice of Consolidation

A Contractor wishing to consolidate two or more adjudications must complete a Notice of Consolidation.

Step 2: Provide the Notice of Consolidation to the Parties and the Adjudicators

Pursuant to s. 18.(1) of *Ontario Regulation 306/18*, the Contractor “shall give to the parties to each of the adjudications to be consolidated and to the adjudicator, if any, of each such adjudication, a written notice of consolidation.”

Pursuant to section 18.(3) of *Ontario Regulation 306/18*, the written Notice of Consolidation “may not be given later than the fifth day after the adjudicator in the adjudication receives the documents required by section 13.11 of the *Act*.”

Step 3: Provide a copy of the Notice of Adjudication to ODACC

Pursuant to section 18.(2) of *Ontario Regulation 306/18*, “the contractor shall, as soon as possible after giving the last of the notices of consolidation under subsection (1), provide a copy of the notice in electronic format to the Authority.”

To provide the Notice of Consolidation to ODACC, please send it via email to support@odacc.ca. Within two business days after ODACC receives a Notice of Consolidation, ODACC will create a new consolidated case in ODACC’s Custom System and invite all the Parties to the consolidated case.