



VIEWING THE ADJUDICATION PROCESS

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DISCLAIMER: Please note that nothing in this document shall be considered as legal advice.
Parties to disputes are advised to consult a lawyer to clarify their legal rights.

1. Introduction

The Parties may have suggested a Pre-Designed Process to the Adjudicator in the Notice of Adjudication and the Response to Notice of Adjudication, as discussed at <https://odacc.ca/en/claimants/adjudication-process-2/>. Once an Adjudicator is appointed to the adjudication, the Adjudicator will contact the Parties to discuss and set the adjudication process.

The Adjudicator will conduct the adjudication in the manner the Adjudicator determines appropriate, in accordance with s. 13.12(4) of the Construction Act. Some adjudications may include a hearing by videoconference, some may have an in-person hearing, some may require a site visit, and some may proceed only with documents. Factors Adjudicators may consider (when deciding on the appropriate process) include:

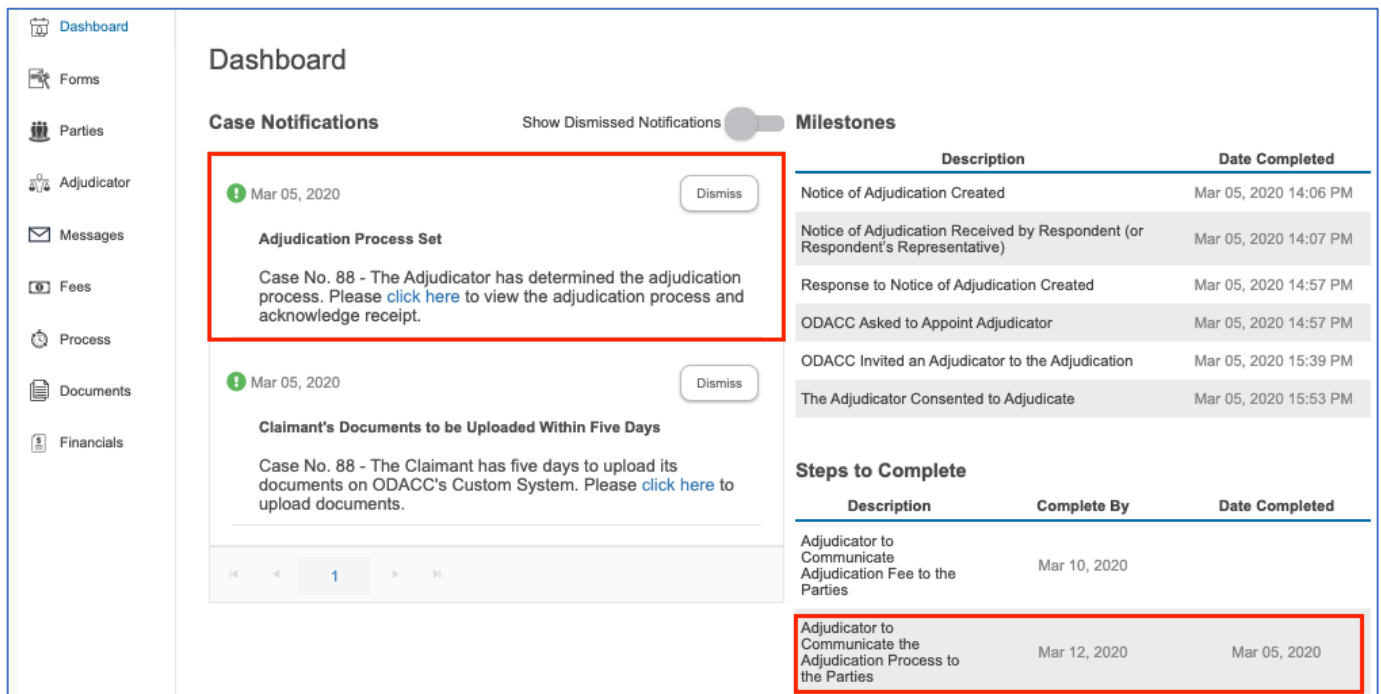
- the amount in dispute;
- whether an oral hearing is necessary to determine facts; and
- whether a site visit is necessary

After the Adjudicator sets the process, the Adjudicator will then communicate the adjudication process and timetable to the Parties on ODACC's Custom System.

2. Viewing the Adjudication Process on ODACC's Custom System

Once the Adjudicator sets the process, the Adjudicator will communicate the process to the Parties on ODACC's Custom System. The Parties will receive an email with the subject line "ODACC Custom System Notification," asking the Parties to log in to the system. After opening the adjudication on ODACC's Custom System (for instructions on how to log in, please refer to <https://odacc.ca/en/odacc-custom-system/>), the Parties will see a notification and step to complete, as shown at Figure 1. The notification will state, "The Adjudicator has determined the adjudication process. Please click here to view the adjudication process and acknowledge receipt." The step to complete, "Adjudicator to Communicate the Adjudication Process to the Parties," will have a completion date.

Figure 1: Dashboard After Adjudicator Communicates Adjudication Process to Parties



The screenshot shows the ODACC Custom System Dashboard. On the left is a sidebar with navigation links: Dashboard, Forms, Parties, Adjudicator, Messages, Fees, Process, Documents, and Financials. The main content area is titled "Dashboard" and features a "Case Notifications" section with a toggle for "Show Dismissed Notifications". Two notifications are listed for "Mar 05, 2020":

- Adjudication Process Set**: Case No. 88 - The Adjudicator has determined the adjudication process. Please [click here](#) to view the adjudication process and acknowledge receipt.
- Claimant's Documents to be Uploaded Within Five Days**: Case No. 88 - The Claimant has five days to upload its documents on ODACC's Custom System. Please [click here](#) to upload documents.

To the right of the notifications is a "Milestones" table:

Description	Date Completed
Notice of Adjudication Created	Mar 05, 2020 14:06 PM
Notice of Adjudication Received by Respondent (or Respondent's Representative)	Mar 05, 2020 14:07 PM
Response to Notice of Adjudication Created	Mar 05, 2020 14:57 PM
ODACC Asked to Appoint Adjudicator	Mar 05, 2020 14:57 PM
ODACC Invited an Adjudicator to the Adjudication	Mar 05, 2020 15:39 PM
The Adjudicator Consented to Adjudicate	Mar 05, 2020 15:53 PM

Below the milestones table is a "Steps to Complete" table:

Description	Complete By	Date Completed
Adjudicator to Communicate Adjudication Fee to the Parties	Mar 10, 2020	
Adjudicator to Communicate the Adjudication Process to the Parties	Mar 12, 2020	Mar 05, 2020

The notification "Adjudication Process Set" and the final step in the "Steps to Complete" table are highlighted with red boxes in the original image.

If the Parties click on the notification link or on the “Process” tab, they will have access to the adjudication process, as set by the Adjudicator (refer to Figure 2).

Figure 2: Process Tab

Forms

Parties

Adjudicator

Messages

Fees

Process

Documents

Financials

ODACC Adjudication Process

Party Name	Party Role	Process Acknowledged
	Claimant	<input type="checkbox"/>
	Respondent	<input type="checkbox"/>

Adjudication Process and Timeline

Adjudication Process and Timeline

Day 1: Adjudicator selected by the Parties or appointed by ODACC.

Day 5: Claimant submits a copy of the construction contract and, if there is an invoice that the Claimant submits is unpaid, the Claimant may also provide a copy of that invoice. Claimant submits its arguments (and photographs), to a maximum of two Pages.

Day 7: The Adjudicator communicates the balance of the adjudication process to the Parties. The balance of the adjudication process is the timing for the Respondent to submit its two Pages of arguments (and photographs).

Day 12: Respondent submits its arguments (and photographs), to a maximum of two Pages.

Day 30: Draft Determination is provided to ODACC.

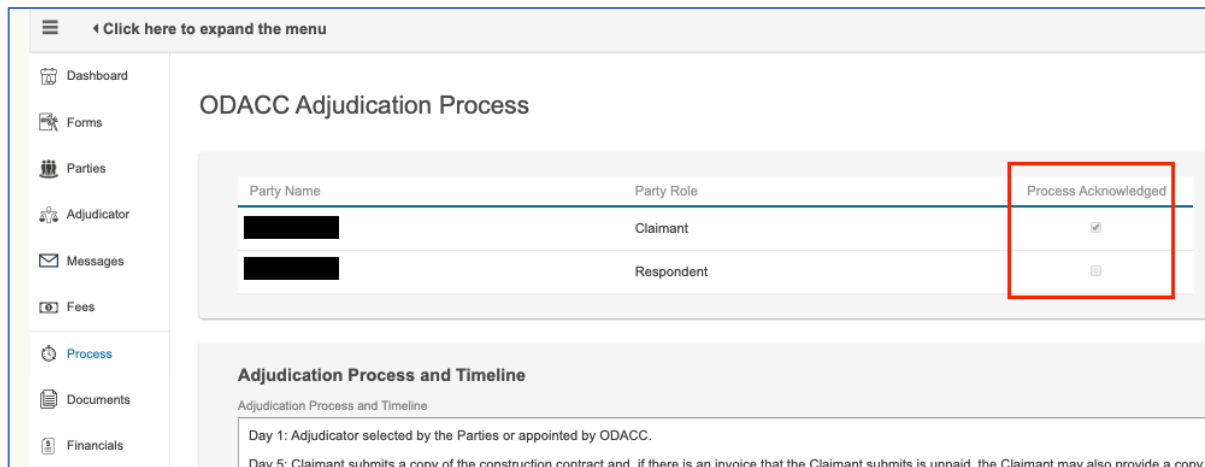
Day 35: Final Determination is released to the Parties.

☐ I acknowledge that I have read the adjudication process and timeline as set out above by the Adjudicator.

Confirm

After reading the process, the Parties should then click on the checkbox at the bottom of the Process tab, which states “I acknowledge that I have read the adjudication process and timeline as set out above by the Adjudicator” (refer to Figure 2). After clicking on the “Confirm” button, the chart at the top of the process screen will be updated, as shown at Figure 3.

Figure 3: Process Tab After a Party Acknowledges Reading the Process



Click here to expand the menu

- Dashboard
- Forms
- Parties
- Adjudicator
- Messages
- Fees
- Process**
- Documents
- Financials

ODACC Adjudication Process

Party Name	Party Role	Process Acknowledged
[REDACTED]	Claimant	<input checked="" type="checkbox"/>
[REDACTED]	Respondent	<input type="checkbox"/>

Adjudication Process and Timeline

Adjudication Process and Timeline

Day 1: Adjudicator selected by the Parties or appointed by ODACC.

Day 5: Claimant submits a copy of the construction contract and, if there is an invoice that the Claimant submits is unpaid, the Claimant may also provide a copy