UPLOADING SUPPORTING DOCUMENTS (CLAIMANTS)

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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.



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1. Introduction

When the Adjudicator communicates the adjudication process to the Parties, the Adjudicator will specify the supporting documents (and number of pages) that each Party may submit to the Adjudicator for consideration. The Parties will then be able to upload their supporting documents on ODACC's Custom System. The Claimant, Respondent, Adjudicator, and all individuals who have access to the adjudication will be able to view the documents uploaded on the Documents screen. After a Party uploads a document, the other Party and the Adjudicator will receive an email advising them that a new document has been uploaded on ODACC's Custom System.



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2. Due Date for Claimant's Supporting Documents

The Claimant's supporting documents are due within five days of the appointment of the Adjudicator. Section 13.11 of the <u>Construction Act</u>, states:

- 13.11 No later than five days after an adjudicator agrees or is appointed to conduct the adjudication, the party who gave the notice of adjudication shall,
- (a) provide to the adjudicator a copy of the notice; and
- (b) provide to the adjudicator and to the other party a copy of the contract or subcontract and any documents the party intends to rely on during the adjudication.

After an Adjudicator consents to adjudicate, the Claimant will receive a new notification and step to complete, as shown at Figure 1. The notification will state, "The Claimant has five days to upload the documents on ODACC's Custom System. Please <u>click here</u> to upload documents." And the step to complete will state "Claimant to Upload Supporting Documents." This step will be marked as complete, once the Claimant uploads its supporting documents.



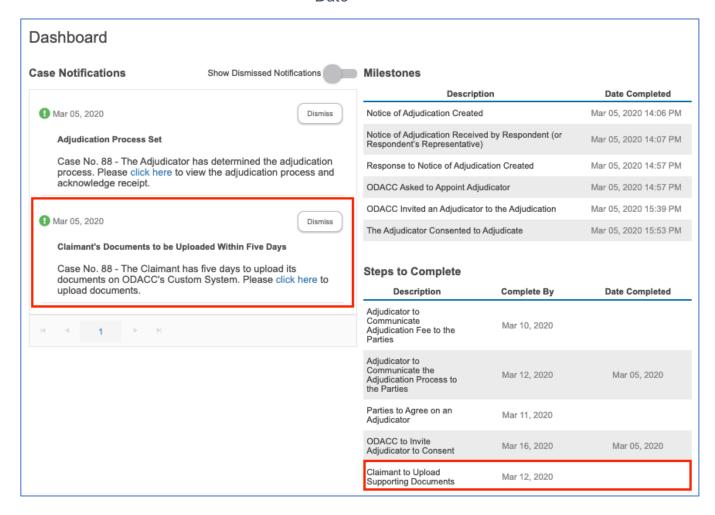
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Figure 1: Notification and Step to Complete for Claimant's Supporting Documents Due





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3. Uploading Supporting Documents

Claimants (and Respondents) must upload their supporting documents through the "Documents" tab on ODACC's Custom System. To upload a document, a Claimant should (a) Select the files to be uploaded and (b) Press the "Upload Files" button, as shown at Figure 2.

Once the Claimant has uploaded all the documents it intends to rely on during the adjudication, the Claimant should also complete a third step – pressing the "Notify the Adjudicator and the Other Party" button. After pressing this button, the thirty-day timeline will commence for the Adjudicator to render the Determination. The case status will also change to "Documents Submitted by Claimant" (refer to Figure 3).

If the Claimant uploads documents to ODACC's Custom System that are not all the Claimant's supporting documents, then the third step should <u>not</u> be completed.



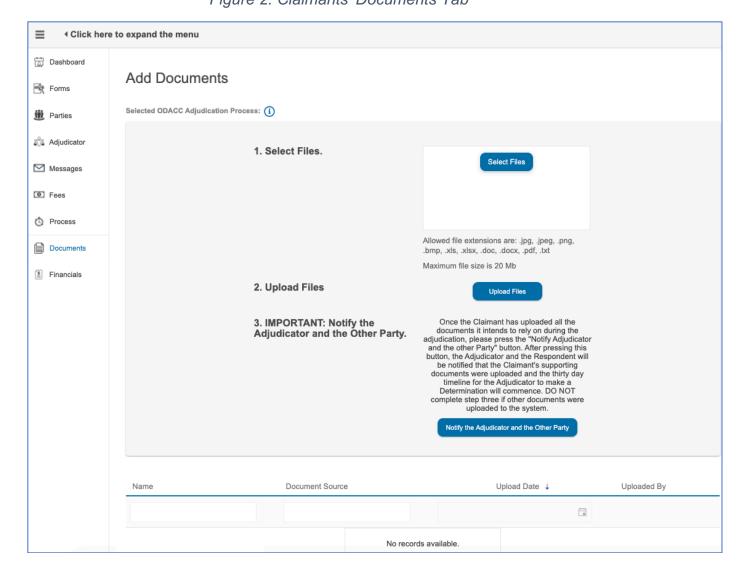
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Figure 2: Claimants' Documents Tab





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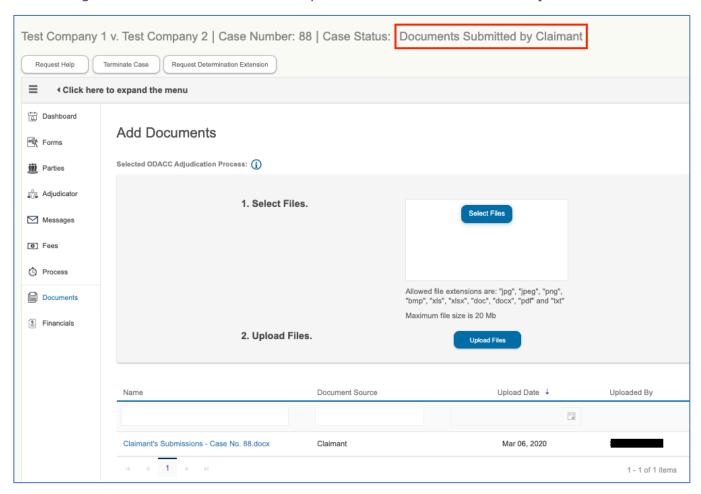
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After a document is uploaded on ODACC's Custom System, the document will be available at the bottom of the Documents tab, as shown at Figure 3.

Figure 3: Claimant's Documents Uploaded on ODACC's Custom System



All the Parties and the Adjudicator will receive an email from communications@odacc.ca to notify them that a new document was uploaded on ODACC's Custom System.



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FAQ: When will documents be deemed to have been uploaded on ODACC's Custom System?

Where a document is uploaded on ODACC's Custom System between midnight and 3:59 pm (EST) on a business day, the document will be deemed to have been uploaded on that day. Where a document is uploaded on ODACC's Custom System between 4:00 p.m. and midnight (EST) or on a weekend or statutory holiday, it will be deemed to have been uploaded on the following business day.

FAQ; Can documents be deleted after they have been uploaded on ODACC's Custom System?

No. Documents cannot be deleted after they have been uploaded on ODACC's Custom System.



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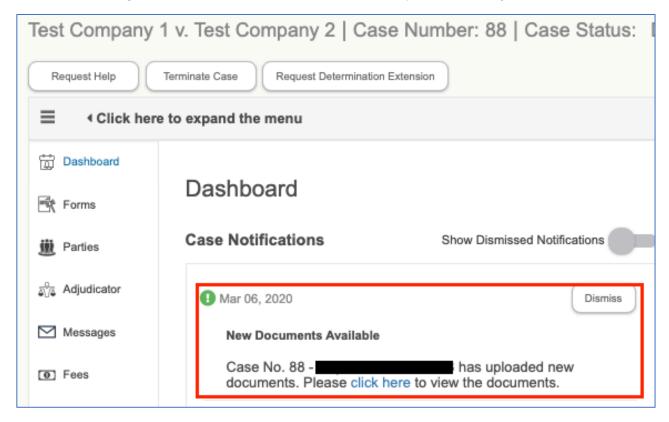
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4. Downloading the Respondent's Documents

After the Respondent uploads documents on ODACC's Custom System, the Claimant and the Adjudicator will receive an email from communications@odacc.ca with the subject line "ODACC Custom System Notification," directing them to log in to the system to review the new notification. On ODACC's Custom System, the Claimant will have a new notification stating, "[NAME] has uploaded new documents. Please click here to view the documents" (refer to Figure 4).

Figure 4: Notification After Document is Uploaded on System





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On the "Documents" tab, there is a chart that lists all the documents and the individual that uploaded the documents. To download a document, a user of ODACC's Custom System should open the Documents tab and click on the name of the document, as shown at Figure 5.

Figure 5: Documents Uploaded on Documents Tab

