



Contract Modernization

Reliance on Information

Alberta Infrastructure has listened to its industry partners. Our new, modernized Consulting Services contracts have added clarity and are better aligned with industry standard.

Disclaimer: This document is for information and context only. It is not legal advice and must not be used as a substitute for reviewing the applicable contract, legislation, or seeking professional legal counsel. Where interpretation is required, the executed contract and governing law prevail.

What we heard

Industry partners sought greater clarity regarding the extent to which consultants could rely on information supplied by the Province, and how responsibility would be allocated if that information later proved to be incomplete or inaccurate.

What changed

The updated provisions provide greater certainty around the use of Province-supplied information, while affirming the consultant's ongoing responsibility to exercise professional judgment and meet the applicable Standard of Care.

Key updates include:

- The Province commits to providing available project information, including surveys, reports, investigations, and other site-related information in its possession.
- Consultants may rely on the accuracy and completeness of information specifically identified as Supplied Information, to the same extent that the Province is entitled to rely on that information.
- The Agreement clarifies that consultants remain fully responsible for their own interpretation and application of that information in carrying out the services and meeting the applicable Standard of Care.
- Consultants retain the discretion to engage additional professional review or advice where they consider it necessary, while maintaining responsibility for their professional decisions.
- The Province represents that it has no actual knowledge of material inaccuracies in information formally provided for procurement purposes, except where identified in writing.

Why we made the change

The updated provisions provide greater clarity regarding the role of Province-supplied information in project delivery and help establish a more balanced allocation of risk between the parties.

The intent is to reduce uncertainty by clearly identifying information that may be relied upon, while recognizing that professional consultants must continue to exercise independent judgment, expertise, and diligence when performing their services. This approach better reflects the realities of professional consulting practice and supports more predictable project administration, risk management, and decision-making throughout the life of a project.