

**CERTIFICATE OF SUBSTANTIAL PERFORMANCE**

(equivalent to Form 9 under Section 32 of the Construction Act)

This is to verify that Contract # 2024-3033 for the following:

Select Resurfacing - London Area Hwy 401,402,403,85,24,3,6, 7, 8

was substantially performed on: 9/19/2024

[SIGNATURE\_IMAGE]

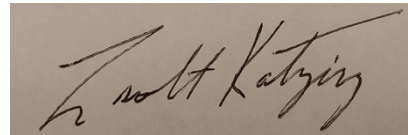
**Recommended By:**



10/28/2024 12:24 PM

**Contract Administrator**

**Date Recommended**



**Approved By:**

Zsolt Katzirz

10/29/2024 8:43 AM

**(payment certifier)**

**Area Manager Construction**

**Date Certified**

659 Exeter Road

London, ON

N6E 1L3

**Address**

Nichol; Waterloo; Blenheim; Oxford; Eramosa

County/District/Regional Municipality/Town/City in which the Work is located

Various Locations at Highway 6, 7, 8, 7/8, 85, 401

street address and city, town, etc. If no street address, the work location as described in the executed contract

**Name of Owner:** His Majesty the King in Right of Ontario as represented by the Minister of Transportation.

**Address for Service:** Ministry of Transportation  
659 Exeter Road  
London, ON  
N6E 1L3

**Name of Contractor:** Capital Paving Inc.

**Address for Service:** 4459 Concession Rd 7  
Guelph, ON  
N1H 6L8

Office to which claim for lien must be given to preserve lien:

**Ministry of Transportation of Ontario  
Director, Legal Services Branch  
125 Sir William Hearst Avenue, 1<sup>st</sup> Floor  
Downsview, Ontario  
M3M 0B5**

**This notice published in the on:**

**Attachments**

Substantial Completion.pdf

APPLICATION FOR SUBSTANTIAL  
PERFORMANCE/CONTRACT COMPLETION

To: Tyler Schiedel  
Manager, Construction Management Office

Date: September 19, 2024

West Region  
Area

Contract No.: 2024-3033

In accordance with the contract requirements, I/We Capital Paving Inc. (Name of Contractor) hereby apply for:

- ☒ Certificate of Substantial Performance
- ☐ Certificate of Completion

All work invoiced to date	\$ 1,754,566.82
Payments made to date	-\$ 480,004.46
Less holdback	-\$ 175,456.68
Less Owner's set-offs	-\$ 0.00
Amount due	=\$ 1,322,562.81

I/We Capital Paving Inc. (Name of Contractor) hereby declare that the Certificate of Substantial Performance shall be published in: (Name of the construction trade newspaper). The link for the construction trade newspaper is:

I/We Capital Paving Inc. (Name of Contractor) hereby release the owner of all further claims related to the contract with the following exceptions:

- List outstanding issues in accordance with MTO General Conditions of Contract

Final Payment Cert.

I/We Capital Paving Inc. (Name of Contractor) hereby declare and submit with this Application a Statutory Declaration in the form provided that all liabilities incurred by the Contractor, and the Contractor's Sub-Contractors, in carrying out the contract have been discharged, except for the statutory holdbacks properly retained in accordance with the Construction Act.

- List outstanding liabilities:

Final Payment Cert.

Name: Rob Munro  
Position: Construction Operations Manager

Signature:   
Date: Oct 23, 2024

STATUTORY DECLARATION

Canada  
Province of Ontario

IN THE MATTER OF a contract entered with  
**Her Majesty the Queen in right of Ontario, represented by the  
Minister of Transportation, (Owner)**  
by Capital Paving Inc., (Contractor), at  
  
MTO Contract Number: 2022-3014\_\_\_\_\_

I, Geoffrey Stephens,

DO SOLEMNLY DECLARE:

1. that I am CEO, of Capital Paving Inc\_\_\_\_\_, the Contractor named in the above mentioned Contract, and as such have personal knowledge of the fact herein declared.
2. that all accounts for labour, sub-contracts, products, materials, services and construction machinery and equipment, which have been incurred directly by the Contractor in the performance of the work as required by the Contract, and for which the Owner might in any way be held responsible, have been discharged, except for:

(1) holdback monies properly retained,

(2) payments deferred by agreement between the Contractor and the Owner,

(3) amounts withheld by reason of legitimate dispute which have been identified to the party or parties, from whom payment has been withheld and are listed below and, (identify payees and amounts payable to each)

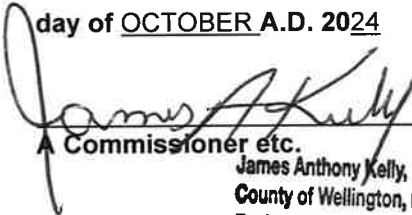

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(4) payments that are yet to be made because they are subject to the Contractor's verification processes.

3. that all accounts for labour, material suppliers and sub-contracts have been informed of the name of the construction trade newspaper, as declared.
- AND I MAKE THIS SOLEMN DECLARATION conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the CANADA EVIDENCE ACT.
- Declared before me at the CITY  
Of GUELPH  
in the COUNTY  
of WELLINGTON this 23RD  
day of OCTOBER A.D. 2024
-   
\_\_\_\_\_  
A Commissioner etc.  
James Anthony Kelly, a Commissioner, etc.,  
County of Wellington, for Capital Paving Inc.  
Expires July 4, 2027.
-   
\_\_\_\_\_  
(Deponent)
- INSTRUCTION
- This declaration must be sworn before a commissioner for oaths, notary public or justice of the peace.

Statutory declaration to be submitted along with application to the appropriate MTO Construction Management Office
- PH-CC-817 APRIL 2022

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