



Ministry of
Transportation

CERTIFICATE OF SUBSTANTIAL PERFORMANCE
(equivalent to Form 9 under Section 32 of the Construction Act)

This is to certify that Contract # 2020-03 for the following:

In-Scope Capital Improvement Item 2– Security Fence

was substantially performed on: December 31 2024

Recommended by: Shawn Watkinson
Contract Administrator

January 16th, 2025
Date Recommended

Approved by: Rob Burlie
(payment certifier) Head of maintenance

January 16th, 2025
Date Certified

47 Harley Court, Unit 2 Barrie ON L4N 8V4
Address

Simcoe County – Central Region
County/District/Regional Municipality/Town/City in which the Work is located

- Hwy 11 southbound @ Line 13

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

Name of Owner: Her Majesty The Queen in Right of Ontario as represented by the
Minister of Transportation

Address for Service: Ministry of Transportation
47 Harley Court, Unit 2
Barrie ON L4N 8V4



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CERTIFICATE OF SUBSTANTIAL PERFORMANCE
(equivalent to Form 9 under Section 32 of the Construction Act)

Name of Contractor: Fowler Construction Company Limited

Address for Service: P.O. Box 630 1206 Rosewarne Drive Bracebridge, ON P1L 1T9

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, 1st Floor
Downsview, Ontario
M3M 0B5**

This notice published in the *Insert the name of Construction Trade Newspaper as declared by the Contractor on PH-CC-817* **on:** Insert Date

Distribution: 1) Contractor
2) Contract Administrator (file)
3) Team Lead, Contract Tendering – Contract Management Office, St. Catharines
4) Construction Management Office



APPLICATION FOR SUBSTANTIAL
PERFORMANCE/CONTRACT COMPLETION

Ministry of
Transportation

To: Shawn Watkinson
Manager, Operations Office

Date: January 15, 2025

Simcoe
Region

Contract No.: 2020-03 Item 2 -- Security Fence

In accordance with the contract requirements, I/We Fowler Construction Company Limited (Name of Contractor) hereby apply for:

- ☒ Certificate of Substantial Performance
☐ Certificate of Completion

All work invoiced to date	<u>\$3,608.00</u>
Payments made to date	<u>-\$3,280.00</u>
Less holdback	<u>-\$</u>
Less Owner's set-offs	<u>-\$</u>
Amount due	<u>=\$328.00</u>

I/We Fowler Construction Company Limited (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

I/We Fowler Construction Company Limited (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 Lien Act.

- List outstanding liabilities:

Name: Brenda St Clair

Signature: Brenda St Clair

Position: Senior Administrator, CDMC

Date: January 15, 2025

STATUTORY DECLARATION

Canada
Province of OntarioIN THE MATTER OF a contract entered with
Her Majesty the Queen in right of Ontario, represented by the
Minister of Transportation, (Owner)by Fowler Construction Company Limited, (Contractor), atMTO Contract Number: 2020-03 Item 2 – Security FenceI, Dave Hebner,

DO SOLEMNLY DECLARE:

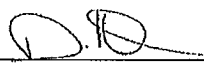
1. that I am Project Manager, of Fowler Construction Company Limited, the Contractor named in the above mentioned Contract, and as such have personal knowledge of the fact herein declared.

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)

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

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 TownOf Bracebridgein the District Municipalityof Muskoka this 15thday of January A.D. 2025
A Commissioner etc.
(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 Regional Contracts Office

Gail Diane Michel, a Commissioner, etc.,
Province of Ontario, for
Fowler Construction Company Limited and
Fowler Construction Holding Ltd.
Expires July 14, 2026.