



RTG SYSTEMS INC.
ELECTRICAL CONSULTING ENGINEERS

March 18, 2025

Via PDF Email Only.

Empire Communities (McClung) Ltd.
7077 Keele Street, Suite 400
VAUGHAN ON L4K 0B6

Attention: Mr. John Castro

Reference: McClung Community - Phase 9
U/G Hydro Distribution and Streetlighting System
Our File: 05862-00

Dear Sir:

Please find enclosed Progress Payment Certificate #4 in favour of Trans Power Utility Contractors Inc. in the amount of \$120,910.00.

The certificate has been issued in response to Trans Power Utility Contractors Inc.'s Invoice #J107233 request for holdback release. The above referenced development was deemed to be substantially complete on February 24, 2025.

The following documentation has been enclosed in accordance with the contract agreement:

- 1) A Statutory Declaration from Trans Power Utility Contractors Inc. stating that all outstanding accounts relating to the above project have been paid in full.
- 2) A Worker's Compensation Clearance Certificate.

We request that Trans Power Utility Contractors Inc. provide proof of publication of the certificate of substantial performance (copy enclosed) in a local construction trade newspaper prior to holdback release.

Once you are in receipt of proof of publication, in accordance with the **Construction Lien Act**, we recommend payment to be remitted to Trans Power Utility Contractors Inc. no later than sixty (60) days from the date the certificate of substantial performance is published in the Daily Commercial News.

We trust the above information is satisfactory and thank you for your anticipated co-operation in this important matter.

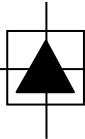
Yours truly,

A handwritten signature in cursive script that reads "Henry J. Marfisi".

**Henry J. Marfisi, C.E.T.
General Manager**

Encl.

Copy to: Trans Power Utility Contractors Inc. ATTN: Ms. Nancy Barbiero



RTG Systems Inc.
ELECTRICAL CONSULTING ENGINEERS

Progress Payment Certificate #4

Date: 18-Mar-25
Owner: Empire Communities (McClung) Ltd.
Project: McClung Community - Phase 9
File #: 05862-00
Contractor: Trans Power Utility Contractors Inc.
H.S.T. Reg #: R121810014

This is to certify that with reference to the above Contract between the Owner and Contractor noted, the amount stated below is recommended for payment in this Certificate.

Description	Previous Certificates	Current Amount	Amount to Date
Invoice # J107233	\$ 1,070,000.00	\$ -	\$ 1,070,000.00
<hr/>			
Subtotal	\$ 1,070,000.00	\$ 107,000.00	\$ 1,070,000.00
<hr/>			
Total	\$ 1,070,000.00	\$ 107,000.00	\$ 1,070,000.00
H.S.T.	\$ 139,100.00	\$ 13,910.00	\$ 139,100.00
<hr/>			
Total	\$ 1,209,100.00	\$ 120,910.00	\$ 1,209,100.00

Recommended this Period \$ 107,000.00
H.S.T. this Period \$ 13,910.00
Holdback this Period \$ -

Total Recommended for Payment this Certificate \$ 120,910.00

Certified by:

Henry J. Marfisi

Original Contract Amount	\$ 1,269,555.00	Amount Certified to Date	\$ 1,209,100.00
* the amounts shown in this box include H.S.T.			

Please Note: All calculations are carried to four decimal places for accounting purposes.

Construction Lien Act, 1983

**CERTIFICATE OF SUBSTANTIAL PERFORMANCE
OF THE CONTRACT UNDER SECTION 32 OF THE ACT**

County of Haldimand

(County/District or Regional Municipality/City or Borough of Municipality of Metropolitan Toronto in which
premises are situated)

West of McCung Road and North of MacLachlan Avenue

(Street address and city, town, etc., or, if there is no street address the location of the premises)

This is to certify the following improvement:

Installation of Underground Hydro Distribution and Municipal Streetlighting System

(Short description of the improvement)

to the above premises was substantially performed on:

February 24, 2025

(Date substantially performed)

Date Certificate Signed:

March 18, 2025

Henry J. Marfisi

(Payment Certifier)

Name of Owner:

Empire Communities (McClung) Ltd.

Address for Service:

7077 Keele Street, Suite 400, VAUGHAN ON L4K 0B6

Name of Contractor:

Trans Power Utility Contractors Inc.

Address for Service:

585 Applewood Crescent, CONCORD ON L4K 5V7

Name of Payment Certifier:

RTG Systems Inc.

Address for Service:

3518 Mainway, Suite 201, BURLINGTON ON L7M 1A8

(Use A or B, whichever is appropriate)

A. Identification of premises for preservation of liens:

Registered Plan: 18M-71

(Where liens attach to premises, reference to lot and plan or instrument registration number)

B. Office to which claim for lien and affidavit must be given to preserve lien:

(Where liens do not attach to premises)

NOTES re: Certificate of Substantial Performance

- 1) A copy of this certificate must be given to the owner and to the contractor within seven days of the day the certificate is signed.**
- 2) The contractor shall publish a copy of this certificate once in a construction trade newspaper, and the contents shall be the same as the original certificate except that the signature of the payment certifier shall be deleted.**
- 3) Where liens do not attach to the premises, the “Office” referred to in Part B shall be as follows:**
 - a) In respect of a public street
or highway owned
by a municipalityClerk of the
Municipality**
 - b) Where owner is the Crown and Contract is with:**
 - i) a Ministry of the CrownDirector of Legal
Services of that
Ministry**
 - ii) Ontario Housing CorporationDirector of Legal
Services of the
Ministry of Municipal
Affairs and Housing**
 - iii) A College of Applied Arts
and TechnologyPresident of the
College**
 - iv) any other office of the CrownChief Executive
Officer of that Office**
 - c) Where premises are a railway
right-of-waythe Manager or any
person apparently in
charge of any office of
the railway in Ontario**



SOLD TO **EMPIRE COMMUNITIES (McCLUNG) LTD.**
C/O RTG SYSTEMS INC.
3518 MAINWAY, SUITE 201
BURLINGTON, ONTARIO
L7M 1A8

INVOICE
J107233

RE JOB: McClung Community Phase 9

OUR REF: 23-823

DATE: Feb 21, 2025

Description

Amount

RTG REFERENCE #05862-00

HOLDBACK RELEASE

TO INVOICE FOR THE RELEASE OF HOLDBACK ON THIS
PROJECT.

Date	Invoice#	Reference	Amount
Aug10, 2023	J099989		32,100.00
Jul18, 2024	J104882		53,500.00
Feb20, 2025	J107224		21,400.00

HOLDBACK RELEASE			107,000.00

Subtotal 107,000.00

HST/BN# (121810014) 13,910.00

Total Invoice 120,910.00

PAYMENTS TERMS ARE NET 30 DAYS WITH INTEREST ON OVERDUE ACCOUNTS BEING CHARGED AT A RATE OF 24% PER ANNUM.

Statutory Declaration of Progress Payment Distribution by Contractor

Standard Construction Document

CCDC 9A – 2018

To be made by the Contractor as a condition for either

- ☐ second and subsequent progress payments; or
☒ release of holdback.

Information Appearing in the Contract Documents

Name of Project

McClung Community - Phase 9
Town of Haldimand

Date of Contract: July 17, 2023

Name of Owner

Empire Communities (McClung) Ltd.

Name of Contractor

Trans Power Utility Contractors Inc.

Application for payment number J104882
dated July 18, 2024 is the last
application for payment for which the Contractor has
received payment.

Declaration

I solemnly declare that, as of the date of this declaration, I am an authorized signing officer, partner or sole proprietor of the Contractor, and as such have authority to bind the Contractor, and have personal knowledge of the fact that all accounts for labour, subcontracts, products, 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 paid in full as required by the Contract up to and including the latest progress payment received, as identified above, except for:

- 1) holdback monies properly retained,
- 2) payments deferred by agreement, or
- 3) payment withheld by reason of legitimate dispute which has been identified to the party or parties from whom payment has been withheld.

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.

Declared before me in Vaughan, Ontario this 21st day of February in the year 2025
City/Town and Province

Simone DeGasperi

Name

Vice President

Title


Signature

**Simone De Gasperi, a Commissioner, etc.,
Regional Municipality of York,
For Trans Power Utility Contractors Inc.
Expires December 22, 2025**

(A Commissioner for Oaths, Notary Public, Justice of the Peace, etc.)

The making of a false or fraudulent declaration is a contravention of the Criminal Code of Canada, and could carry, upon conviction, penalties including fines or imprisonment.

This agreement is protected by copyright and is intended by the parties to be an unaltered version of CCDC 9 – 2018 except to the extent that any alterations, additions or modifications are set forth in supplementary conditions.

CCDC

9

2018

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Canadian Construction Documents Committee



Your clearance(s) / Vos certificats de décharge

We confirm that the business(es) listed below are active and in good standing with us.

Nous confirmons que la ou les entreprises énumérées ci-dessous sont actives et que leurs comptes sont en règle.

Contractor legal or trade name / Raison sociale ou appellation commerciale de l'entrepreneur	Contractor address / Adresse de l'entrepreneur	Contractor NAICS Code and Code Description / Code du SCIAN de l'entrepreneur et description	Clearance certificate number / Numéro du certificat de décharge	Validity period (dd-mm-yyyy) / Période de validité (jj- mmm-aaaa)
TRANS POWER UTILITY CONTRACTORS INC	585 APPLEWOOD CRES, CONCORD, ON, L4K5V7, CA	007020: Non-Exempt Partners and Executive Officers in Construction - G2 237120: Oil and gas pipeline and related structures construction 237130: Power and communication line and related structures construction	A0000JE1OW	20-Feb-2025 to 19-Aug-2025

Under Section 141 of the *Workplace Safety and Insurance Act*, the WSIB waives our right to hold the principal (the business that has entered into a contractual agreement with the contractor/subcontractor) liable for any unpaid premiums and other amounts the contractor may owe us for the validity period specified.

Aux termes de l'article 141 de la *Loi sur la sécurité professionnelle et l'assurance contre les accidents du travail*, la WSIB renonce à son droit de tenir l'entrepreneur principal (l'entreprise qui a conclu une entente contractuelle avec l'entrepreneur ou le sous-traitant) responsable de toute prime impayée et autre montant que l'entrepreneur pourrait lui devoir pour la période de validité indiquée.

WSIB Head Office: 200 Front Street West
Toronto, Ontario, Canada M5V 3J1

Siège social : 200, rue Front Ouest
Toronto (Ontario) Canada M5V 3J1

1-800-387-0750 | TTY/ATS 1-800-387-0050
employeraccounts@wsib.on.ca | wsib.ca