

April 03, 2025

Via Email: bratchford@capitalsewer.com

Brian Ratchford
Capital Sewer Services Inc.
31 Keyes Court, Vaughan, ON
L4H 4V6

Dear Mr. Ratchford:

**Re: SUBSTANTIAL PERFORMANCE - Contract No. RFTC-704-22
Rehabilitation of Southeast Collector Trunk Sewer Shafts and Downstream Tunnel
Segments and Odour Control Facility Bioscrubber Roof Liner Repair
Our File No. 03-4400-78536-EI20027**

In accordance with the *Construction Act*, R.S.O. 1990, c. C.30, s. 2, Contract No. RFTC-704-22 is substantially performed. Enclosed is a Certificate of Substantial Performance for this contract. Please arrange for the publication of the certificate in a Construction Trade Newspaper.

In accordance with the terms of the contract, the following documents should be uploaded to the PI Portal within 15 calendar days of the date of this letter:

1. Proof of publication of the Certificate of Substantial Performance
2. Release
3. WSIB Certificate of Clearance
4. Declaration of No Adjudication
5. Proper Invoice for the unpaid work completed up to the date of Substantial Performance

The forms of Release and Declaration of No Adjudication acceptable to The Regional Municipality of York are attached for your use.

Should you have any questions or concerns, please contact me.

Sincerely,



Ilangkumaran Ratnasamy

P.Eng. Project Manager

KR/pk

Attachments: Certificate of Substantial Performance
Declaration of No Adjudication
Release Document

Copy to: Vanessa Vanclief, Law Clerk, Legal Services, York Region
Controllership Office, via e-mail insurancecertificates@york.ca
Sophia Mak, Accounting Supervisor, Public Works, York Region
Ivy Mak, Supervisor, Accounts Payable, Finance Department, York Region
Ian King, Contract Administrator, Public Works, York Region
Mark Walker, Contract Administrator, Parsons Canada

YORK #16702648

FORM 9
CERTIFICATE OF SUBSTANTIAL PERFORMANCE OF THE
CONTRACT UNDER SECTION 32 OF THE ACT
Construction Act

The Regional Municipality of Durham

(County/District/Regional Municipality/Town/City in which premises are situate)

2255 Fairport Road, Pickering
2200 Altona Road, Pickering
7200 York-Durham Line, Pickering
2100 Scarborough-Pickering Town Line Road, Pickering

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

This is to certify that the contract for the following improvement:

Contract No. RFTC-704-22 - Rehabilitation of Southeast Collector Trunk Sewer Shafts and Downstream Tunnel Segments and
Odour Control Facility Bioscrubber Roof Liner Repair

(short description of the improvement)

to the above premises was substantially performed on March 14, 2025.

(date substantially performed)

Date Certificate Signed: April 3, 2025

Mark Walker
(payment certifier where there is one)

(owner and contractor, where there is no payment certifier)

Name of owner: The Regional Municipality of York

Address for service: Office of the Regional Clerk, 17250 Yonge Street, Newmarket, ON, L3Y 6Z1; regionalclerk@york.ca

Name of contractor: Capital Sewer Services Inc.

Address for service: 31 Keyes Court, Vaughan, ON L4H 4V6; bratchford@capitalsewer.com

Name of payment certifier (where applicable): Parsons Corporation

Address: 1393 North Service Road, Suite 103, Oakville, ON L6H 1A7; Mark.Walker@parsons.com

(Use A or B, whichever is appropriate)

☐ A. Identification of premises for preservation of liens:

(if a lien attaches to the premises, a legal description of the premises,
including all property identifier numbers and addresses for the premises)

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

The Regional Municipality of York, Office of the Regional Clerk, 17250 Yonge Street, Newmarket, ON L3Y 6Z1;
regionalclerk@york.ca

(if the lien does not attach to the premises, a concise description of the premises, including addresses, and the name and address of the
person or body to whom the claim for lien must be given)

DECLARATION OF NO ADJUDICATION

I, _____
(name)

of Capital Sewer Services Inc. _____
(name of Contractor)

declare that:

1. I am the _____ of
(title or position)

Capital Sewer Services Inc. _____,
(name of Contractor)

and as such have knowledge of the facts herein declared.

2. That Capital Sewer Services Inc. _____
(name of Contractor)

entered into Contract No. RFTC-704-22 _____ with The Regional Municipality of York for
(contract no)

Rehabilitation of Southeast Collector Trunk Sewer Shafts and Downstream Tunnel Segments and Odour
Control Facility Bioscrubber Roof Liner Repair _____
(description of contract)

3. That Capital Sewer Services Inc. _____
(name of Contractor)

is not engaged in, nor aware of, any adjudication with respect to Contract No. RFTC-704-22 _____,
(contract no)

nor is it aware of any adjudication in which any subcontractors or suppliers are engaged, and has made
reasonable enquiries to confirm this.

Declared before me in _____
(City/Town)

in the Province of _____
(Province)

Signature of Declarant

on the _____ day of _____, 20

A Commissioner, etc.

RELEASE

IN THE MATTER OF a contract for Rehabilitation of Southeast Collector Trunk Sewer Shafts and Downstream Tunnel Segments and Odour Control Facility Bioscrubber Roof Liner Repair, known as Contract No. RFTC-704-22, entered into between The Regional Municipality of York (the "Region") and Capital Sewer Services Inc. (the "Contractor").

KNOW ALL MEN BY THESE PRESENTS THAT the Contractor, on its own behalf and on behalf of its Subcontractors, and their respective heirs, executors, administrators, successors and assigns, as the case may be (the "Releasor"), for and in consideration of the payment or promise to pay the statutory holdback under the above-mentioned contract, and for other good and valuable consideration, hereby remises, releases and forever discharges the Region, and its directors, officers, council members, partners, employees, agents, assigns and successors (the "Releasee"), of and from all manner of actions, causes of action, suits, debts, dues, sums of money, claims and demands whatsoever at law or in equity which the Releasor ever had, now has, or may have by reason of the above-mentioned contract, save and except any claim which the Releasor has arising out of:

1. Claims pursuant to GC7 – Claims, Disputes and Adjudication made prior to Substantial Performance of the Contract and still unsettled, as listed in the attached "Schedule of Outstanding Claims"
2. The retention by the Region of the maintenance security, if applicable
3. Pending/Unresolved Change Orders as listed in the attached "Schedule of Pending/Unresolved Change Orders"
4. Quantities which have not been finalized

With respect to item 1, the Contractor acknowledges and agrees that none of the claims listed in the attached "Schedule of Outstanding Claims" have been admitted, acknowledged or accepted by the Region as valid claims. The Contractor further acknowledges that nothing in this Release prevents or estops the Region from disputing the validity, timeliness and quantum of the claims listed therein.

Dated this _____ day of _____ 20____.

WITNESSED BY:

SIGNED, SEALED AND DELIVERED

CONTRACTOR

Name:

Name:

(Seal)

Title:

Name:

Name:

(Seal)

Title:

I/We have authority to bind the corporation

SCHEDULE OF OUTSTANDING CLAIMS

Description of Dispute	Value of Dispute

SCHEDULE OF PENDING/UNRESOLVED CHANGE ORDERS

C.O. #	Description of Change Order	Value of Change Order