

April 2, 2025

Via Email only to: [Drew.Marshall@msoconstruction.ca](mailto:Drew.Marshall@msoconstruction.ca)

Miller Paving Limited  
281 Hillmount Road Suite 101  
Markham, ON L6C 2S3

Attention: Drew Marshall

**Re: SUBSTANTIAL PERFORMANCE - Contract No. RFTC-1347-23-24-182**  
**Microsurfacing at various locations in the City of Markham and the Town of**  
**Whitchurch-Stouffville**  
**Our File No.: L01 3996**

In accordance with the *Construction Act*, R.S.O. 1990, c. C.30, s. 2, Contract No. RFTC-1347-23-24-182 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.

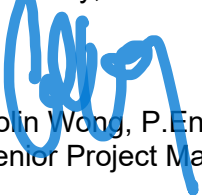
In accordance with the terms of the contract, the following documents should be uploaded to the PI Portal within 15 calendar days of the date of this letter:

1. Proof of publication of the Certificate of Substantial Performance
2. Release
3. WSIB Certificate of Clearance
4. Declaration of Known Adjudication
5. Proper Invoice for the unpaid work completed up to the date of Substantial Performance

The forms of Release and Declaration of Known Adjudication acceptable to The Regional Municipality of York are attached for your use.

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

Sincerely,



Colin Wong, P.Eng.  
Senior Project Manager

CW/ch

Attachments

Copy to: Vanessa Vanclief, Legal Assistant, Legal Services, York Region  
Jennifer Leitch, Senior Risk Management Analyst, Controllershship Office, via e-mail  
[insurancecertificates@york.ca](mailto:insurancecertificates@york.ca)  
Loren May, Sarah Clark, Ivy Mak, Finance Department, York Region  
Tara Marshall, Project Manager, Asset Management, York Region  
Steve Youk, Construction Coordinator, Capital Delivery – TRN, York Region

#16664564

The Regional Municipality of York | 17250 Yonge Street, Newmarket, Ontario L3Y 6Z1

1-877-464-9675 | [york.ca](http://york.ca)

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

The Regional Municipality of York

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

14th Avenue from 120 m east of McCowan Road to 55 m west of Markham Road the City of Markham;  
14th Avenue from 40 m west of Ninth Line to 10 m west of York Durham Line in the City of Markham;  
York Durham Line from 40 m north of Steeles Avenue East to 10 m south of 14th Avenue in the City of Markham;  
Donald Cousens Parkway from 125 m north of 14th Avenue to 180 m south of Highway 407 in the City of Markham;  
Ninth Line from 140 m north of Donald Cousens Parkway to 250 m north of Main Street in the City of Markham and the  
Town of Whitchurch-Stouffville;

(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-1347-23-24-182 - Microsurfacing

(short description of the improvement)

to the above premises was substantially performed on November 18, 2024.  
(date substantially performed)

Date Certificate Signed: April 2, 2025

(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](mailto:regionalclerk@york.ca)

Name of contractor: Miller Paving Limited

Address for service: 281 Hillmount Road Suite 101, Markham, ON L6C 2S3; [Drew.Marshall@msoconstruction.ca](mailto:Drew.Marshall@msoconstruction.ca)

Name of payment certifier (where applicable):

Address:

(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](mailto: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)

## RELEASE

IN THE MATTER OF a contract for Microsurfacing at various locations in the City of Markham and the Town of Whitchurch-Stouffville, known as Contract No. RFTC-1347-23-24-182, entered into between The Regional Municipality of York (the "Region") and Miller Paving Limited (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

## DECLARATION OF KNOWN ADJUDICATIONS

I, \_\_\_\_\_ of Miller Paving Limited declare that:  
(name of declarant) (name of contractor)

1. I am the \_\_\_\_\_ of Miller Paving Limited  
(title or position of declarant) (name of contractor)  
and as such have knowledge of the facts herein declared.

2. That Miller Paving Limited entered into Contract No. RFTC-1347-23-24-182  
(name of contractor) (contract number)  
with The Regional Municipality of York for:  
microsurfacing at various locations in the City of Markham and the Town of  
Whitchurch-Stouffville  
(description of contract)

3. That Miller Paving Limited is not engaged in any adjudication with  
(name of contractor)  
respect to Contract No. RFTC-1347-23-24-182 except for those adjudications  
(contract number)  
identified in Schedule A – Known Adjudications.

4. That Miller Paving Limited is not aware of any adjudication in which any  
(name of contractor)  
subcontractors or suppliers are engaged in with respect to Contract No. RFTC-1347-23-24-182  
(contract number)  
except for those adjudications identified in Schedule A – Known Adjudications, and has  
made reasonable enquiries to confirm this.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Declarant

### Schedule A - Known Adjudications

[illegible]