

CERTIFICATE OF SUBSTANTIAL PERFORMANCE

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

This is to verify that Contract # 2023-4065 for the following:

Leeds and Grenville Rd. 43, Kemptville

was substantially performed on: 1/7/2025



Recommended By:	Dan Wafer	4/1/2025 2:10 PM
	Contract Administrator	Date Recommended

Approved By:	Peter Freure	4/3/2025 4:16 PM
(payment certifier)	Area Manager Construction	Date Certified

Ministry of Transportation
1355 John Counter BLVD
Kingston ON, Canada
K7K 0E5

Address

United Counties of Leeds and Grenville, Township of North Grenville
County/District/Regional Municipality/Town/City in which the Work is located

Kemptville ON

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
Ministry of Transportation
1355 John Counter BLVD
Kingston ON, Canada
K7K 0E5

Name of Contractor: R. W. Tomlinson Limited

Address for Service: 100 CitiGate Drive
Ottawa ON, Canada
K27 6K7

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 on:

Attachments

2023-4065 - PH-CC-817 - Substantial+Completion - Signed.pdf
WSIB FEB 2025-AUG 2025.pdf

To: Shawn Hall
Manager, Construction Management Office

Date: January 7, 2025

Eastern - Ottawa
Area

Contract No.: 2023-4065

In accordance with the contract requirements, We, **R.W.Tomlinson Ltd.**, hereby apply for:

- ☒ Certificate of Substantial Performance
- ☒ Certificate of Completion

All work invoiced to date	\$	<u>6,268,158.99</u>
Payments made to date	-\$	<u>5,352,483.51</u>
Less holdback	-\$	<u>631,752.70</u>
Less Owner's set-offs	-\$	<u>14,322.60</u>
Amount due	=\$	<u>269,600.19</u>

We, **R.W. Tomlinson Ltd.** hereby declare that the Certificate of Substantial Performance shall be published in: **Daily Commercial News.**

We, R.W. Tomlinson Ltd., 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

Owner Set-Offs for footings and poles at P12 and P13

Any items as required by the Highway Maintenance Transfer

Agreement

We, R.W. Tomlinson Ltd., 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:

Name: Connor Knappe

Signature:  Connor Knappe.

Position: Project Manager

Date: January 7, 2025

STATUTORY DECLARATION

Canada
Province of Ontario

IN THE MATTER OF a contract entered with
**His Majesty the King in right of Ontario, represented by the Minister
of Transportation, (Owner)**

by R.W. Tomlinson Ltd., (Contractor), at

MTO Contract Number: 2023-4065

I, Wade Ennis,

DO SOLEMNLY DECLARE:

1. that I am Division Controller - Accounting, of R.W. Tomlinson Ltd., 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.

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 Ottawa

in the Province

of Ontario this 26th

day of March 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 MTO Construction Management Office

**Brandon Richard Knight a Commissioner, etc.,
Province of Ontario, for R.W. Tomlinson Limited
And its associated Companies.
Expires April 15, 2027**

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-mmm-yyyy) / Période de validité (jj- mmm-aaaa)
R. W. TOMLINSON LIMITED / ACCOUNT ONE	100 CITIGATE DRIVE, C/O Health and Safety Manager, OTTAWA, ON, K2J6K7, CA	007020: Non-Exempt Partners and Executive Officers in Construction - G2 212315: Limestone mining and quarrying 237110: Water and sewer line and related structures construction 237310: Highway, street and bridge construction 238110: Poured concrete foundation and structure contractors 238910: Site preparation contractors 324190: Other petroleum and coal product manufacturing 327320: Ready-mix concrete manufacturing 484232: Dry bulk materials trucking, long distance 562110: Waste collection	A0000JD5AA	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.