

File 417431

October 21, 2021

Tom Thomason  
Construction Manager  
KJ Excavating Inc.  
373 Warminster Sideroad  
Coldwater, Ontario L0k 1E0  
tthomason@kjexcavating.com

Re: Town Campus Trail Construction, Town of Innisfil  
Certificate of Substantial Performance (C-20-94)

Dear Tom:

We are pleased to enclose the Certificate of Substantial Performance for Parts A, B, D and E for the Town Campus Trail Construction. September 22, 2021, is established as the date of Substantial Performance for these components of the Contract, based on the work completed as itemized on invoices #2298, #2301 and #2309.

As stipulated in the Contract, we will issue the Substantial Performance Statutory Holdback Release Payment Certificate once the 60-day lien period has expired, and we receive the following supporting documentation (provided there are no liens filed against the project):

1. a Release prepared by KJ Excavating Inc. releasing the Owner from all further claims relating to the Contract;
2. Statutory Declaration stating that all liabilities incurred by the Contractor and the Contractor's Subcontractors in carrying out the Contract have been discharged, except for statutory holdbacks properly retained;
3. a satisfactory and current Certificate of Clearance from the Workplace Safety and Insurance Board; and
4. proof of publication of the Certificate of Substantial Performance in the Daily Commercial News. Issuance of the Certificate of Substantial starts the 12-month warranty period for base works, which will expire on September 22, 2022 subject to correcting all deficiencies and upon a final inspection.

We trust this is satisfactory.

Yours truly,

**Tatham Engineering Limited**



David Reid, B.Eng., P.Eng.

Intermediate Engineer

DJR:klc

Encl.

copy: Amber Leal, Town of Innisfil, aleal@innisfil.ca  
Roberto DaSilva, Town of Innisfil, rdasilva@innisfil.ca

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**FORM 6**  
**CERTIFICATE OF SUBSTANTIAL PERFORMANCE OF THE**  
**CONTRACT UNDER SECTION 32 OF THE ACT**

*Construction Lien Act*

Town of Innisfil

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

7315 Yonge Street, Innisfil

(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:

The construction of a multi-use trail through the Town Campus property including a connection to the Innpower building (Part A, B and D Works) and the removal and disposal of existing materials and placement of topsoil for the pollinator garden (Part E Works)

(short description of the improvement)

to the above premises was substantially performed on September 22, 2021

(date substantially performed)

Date certificate signed: October 21, 2021



(payment certifier where there is one)

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

Name of owner: Town of Innisfil

Address for service: 2101 Innisfil Beach Road, Innisfil, Ontario, L9S 1A1

Name of contractor: KJ Excavating Inc.

Address for service: 373 Warminster Sideroad, Coldwater, Ontario, L0K 1E0

Name of payment certifier (where applicable): Tatham Engineering Limited

Address: 41 King Street, Unit 4, Barrie, Ontario, L4N 6B5

(Use A or B, whichever is appropriate)

A. Identification of premises for preservation of liens:

7315 Yonge Street, Innisfil

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

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

(where liens do not attach to premises)