



December 6, 2021

**Via: Email (mitch@mudinc.com)**

Master Utility Division Inc.  
26 Ravenscrest Road  
Sutton West ON L7B 1A1

Dear Mr. Fairbairn:

**Re: Substantial Performance  
Nobleton Culvert Replacements – Township of King  
Project No.: 300051628.0000**

Enclosed please find the Certificate of Substantial Performance for the above noted project, which was substantially completed on November 26, 2021.

After the expiration of 60 days from the date of advertisement of the Certificate of Substantial Performance, the Township of King will reduce the holdbacks to 2% warranty, subject to Master Utility Division Inc. providing the following:

- Proof of Publication of the Certificate in the Daily Commercial News;
- A Statutory Declaration that all liabilities incurred by the Contractor and the Contractor's Subcontractors in carrying out the Contract have been discharged, in the form of CCDC Standard Construction Document 9A (Attached);
- A Certificate of Clearance from the Workplace Safety and Insurance Board; and
- A signed copy of the Contract Release Form (Attached) by the Contractor releasing the Town from all further claims relating to the work completed up to November 26, 2021.

We trust that you will find the above to be in order.

Yours truly,

**R.J. Burnside & Associates Limited**

Andrew Dawson, P.Eng.  
Project Engineer  
AD:MC/jh

Enclosures: CCDC Form 9A Template  
Contract Release Template Form  
Form 9 – Certificate of Substantial Performance

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# 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

Date of Contract: \_\_\_\_\_.

Name of Owner

Name of Contractor

Application for payment number \_\_\_\_\_  
dated \_\_\_\_\_ 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 \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_  
*City/Town and Province*

\_\_\_\_\_  
*Name*

\_\_\_\_\_  
*Title*

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*(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.**

***Apply a CCDC 9  
copyright seal here.***

*Use of this form without a CCDC 9 copyright seal constitutes an infringement of copyright. Use of this form with a CCDC 9 copyright seal demonstrates that it is intended by the parties to be an accurate and unamended version of CCDC 9A – 2018.*

**CCDC** Copyright 2018  
Canadian Construction Documents Committee

## CONTRACT RELEASE

IN THE MATTER of the contract known as Contract No. 2021-T19  
entered into between Township of King (the Owner)  
AND Master Utility Division Inc. (the Contractor),  
dated June 14, 2021  
for the construction of Nobleton Culvert Replacements  
in Nobleton, Ontario.

KNOW ALL MEN BY THESE PRESENTS that I/We

Master Utility Division Inc.

(name of Contractor, in full)

For and in consideration of other good and valuable consideration paid by the Owner, have remised, released and forever discharged, and by these presents do for myself/ourselves, my/our heirs, executors, administrators and assigns or successors and assigns, as the case may be, remise release and forever discharge the Owner, its successors and assigns, of and from all manner of action and actions, cause and causes of action, suits, debts, dues, sums of money, claims and demands whatsoever at law or in equity which I/We ever had or now have, or which I/We or my/our heirs, executors, administrators or assigns or successors and assigns, as the case may be, hereafter can, shall or may have by reason of the above-mentioned Contract, save and except any claim which I/We have arising out of:

- 1) the retention by the Owner of the Warranty Holdback of the Contract price;
- 2) any sum retained by the Owner against the cost of uncompleted work;
- 3) None

(if none, state "none")

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals

SIGNED, SEALED and DELIVERED

Witness or Company Seal

(Date)

Contractor Signature

(Date)

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

*Construction Act*

**Township of King**

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

**Nobleton Culvert #1, located adjacent to the rear lot line on properties #83, #89, & #95 Hawman Avenue just west of Chinook Drive (43.901695, -79.658257) and Culvert #4, located adjacent to the front lot lines on properties #6108 & #6108 King Road, approximately 0.08 km east of Chinook Drive (43.901493, -79.656488).**

(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:

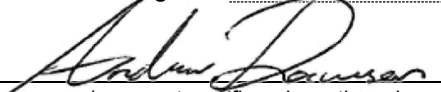
**Nobleton Culvert Replacements, Contract No. 2021-T19**

(short description of the improvement)

to the above premises was substantially performed on **November 26, 2021**

(date substantially performed)

Date certificate signed: **December 6, 2021**

  
(payment certifier where there is one)

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

Name of owner: **Township of King**

Address for service: **2585 King Road, King City, Ontario L7B 1A1**

Name of contractor: **Master Utility Division Inc.**

Address for service: **26 Ravenscrest Road, Sutton West, Ontario L0E 1R0**

**R.J. Burnside & Associates**

Name of payment certifier (where applicable): **Limited**

Address: **15 Townline, Orangeville, Ontario L9W 3R4**

(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:

**2585 King Road, King City, Ontario L7B 1A1**

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