

B. M. ROSS AND ASSOCIATES LIMITED

Engineers and Planners

62 North Street, Goderich, ON N7A 2T4

p. (519) 524-2641 www.bmross.net

VIA EMAIL ONLY

File No. 20269

December 14, 2021

Sean Thomas, Director of Operations
Town of Goderich
57 West Street
Goderich, ON N7A 2K5

Dear Sir

RE: Cove Area – Dog Walk – Lakeshore Protection

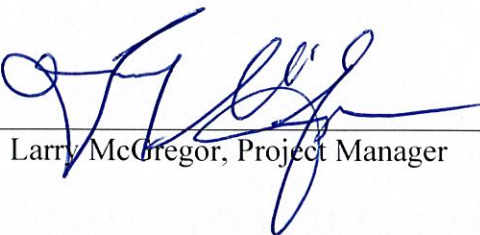
Enclosed is Payment Certificate No.1 for work substantially performed on the above project in the amount of \$469,462.84 in favour of Roubos Farm Services Ltd.

We enclose a copy of a letter to Roubos Farm Services Ltd. concerning the substantial performance of the project.

Yours very truly

B. M. ROSS AND ASSOCIATES LIMITED

Per



Larry McGregor, Project Manager

LM:sd
Encl.



BMROSS
engineering better communities

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File No. 20269

VIA EMAIL ONLY

December 14, 2021

Graeme Hamilton
Roubus Farm Services Ltd.
8750 Concession 11, R. R. #1
Moorefield, ON N0G 2K0

RE: Cove Area – Dog Walk – Lakeshore Protection

Please find enclosed Payment Certificate No.1 for the above project in the amount of \$469,462.84. Also enclosed is a copy of a Contract Release, a copy of the combined Statutory Declaration re Liens & Liabilities & Payment of Accounts, and the Certificate of Substantial Performance.

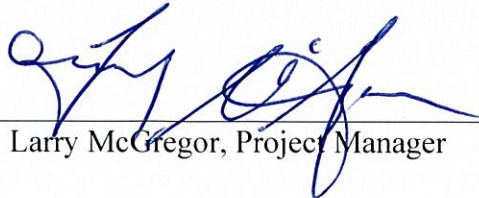
Please complete the Contract Release and the Declaration and forward all copies in triplicate along with your Statement of Good Standing from the WSIB to this office.

In accordance with the Construction Act you are advised to publish a copy of the Certificate of Substantial Performance once in a daily trade newspaper (Daily Commercial News) within seven days of receiving the Certificate. The 60-day liens period will start on the day following the date of publication.

Yours very truly

B. M. ROSS AND ASSOCIATES LIMITED

Per


Larry McGregor, Project Manager

LM:sd
Encl.

c.c. Town of Goderich

Z:\20269-God-Shoreline_Protection_Dog_Walk\WP\Payment Certificates\20269-2021-12-14-Substantial Performance-Contractor-3 copies let.docx

GODERICH

MOUNT FOREST

SARNIA



CONTRACT RELEASE

(IN THE MATTER of a contract, known as Contract No. _____
(entered into between _____
(_____ the Owner
(_____ AND _____
(_____ the Contractor
(dated _____, 20____
(for the construction of _____
(_____
(in _____, Ontario.

KNOW ALL MEN BY THESE PRESENTS that I/We

(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 maintenance holdback of the Contract price; and
- 2) any sum retained by the Owner against the cost of uncompleted work; and
- 3) _____
(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

STATUTORY DECLARATION RE: LIENS, LIABILITIES & PAYMENT OF ACCOUNTS

DOMINION OF CANADA
PROVINCE OF ONTARIO

IN THE MATTER of (a contract, known as

entered into between (_____ the Owner
AND (_____ the Contractor
dated (_____, 20____
for the construction of (_____
in (_____, Ontario.

TO WIT:

I, _____ of _____ in the
Province of _____, do solemnly declare:

1. That I am _____ of the
(President, Secretary, Treasurer, a Partner, etc.)

Contractor named in the Contract above-mentioned and as such have personal knowledge of the facts hereunder declared.

2. That the said Contractor has complied with the terms of the Construction Act, R.S.O. 1990, c.C.30 and amendments thereto, and with the requirements of statutes and regulations of the Province of Ontario relating to the payment of fair wages.
3. That with the exception of accounts listed below, and amounts held back and amounts deferred by written agreement, all liabilities incurred by the said Contractor arising out of work performed have been discharged.
4. That the following is a complete list of disputed accounts:

Name & Address of Creditor	Service Rendered	Total Claims (\$)	Amount in Dispute	Amount Paid (\$)
(If there are no accounts, enter "NONE" above)				

5. That all persons who have placed or furnished any material or things to be used in connection with the above Contract have been fully paid or their claims have been settled in respect of such work, service, materials or things and there are no liens, garnishees, attachments or claims relating thereto.
6. That all subcontractors who were engaged in or in any manner associated with the performance of any part of the above contract have discharged all liabilities which they incurred in respect thereof.
7. That all claims for damage to property or injury to persons of which the above-named Contractor has received notice have been fully paid or settled, except for the following:

Claimant	Description of Claim	Amount of Claim (\$)	Amount Paid (\$)
(If there are no accounts, enter "NONE" above)			

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

Construction Act

Town of Goderich

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

57 West Street, Goderich, ON N7A 2K5

(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:

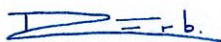
Cove Area - Dog Walk - Lakeshore Protection

(short description of the improvement)

to the above premises was substantially performed on December 13, 2021

(date substantially performed)

Date certificate signed: December 14, 2021



(payment certifier where there is one)
Dale L. Erb, P. Eng.

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

Name of owner: Town of Goderich

Address for service: 57 West Street, Goderich, ON N7A 2K5

Name of contractor: Roubus Farm Services Ltd.

Address for service: 8750 Concession 11, R. R. # 1, Moorefield, ON N0G 2K0

Name of payment certifier (where applicable): B. M. Ross and Associates Limited

Address: 62 North Street, Goderich, ON N7A 2T4

(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:

Town Of Goderich, 57 West Street , Goderich, ON N7A 2K5

(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)



**Town of Goderich
Cove Area - Dog Walk - Lakeshore Protection
Project No. 20269**

**Progress Payment Certificate No. 1
Monthly Payment**

Payment Cut-Off Date:	December 10, 2021	Contractor:
Date of Substantial Performance:	December 13, 2021	Roubos Farm Services Ltd.
Date of Completion:		8750 Concession 11
		Moorefield, ON N0G 2K0
		HST No. 846291722

CONTRACT SUMMARY

Original Contract Value (excluding Taxes)	\$ 413,667.50
Total Value of Work to Date:	\$ 477,533.14
Difference Between Contract Value and Work to Date:	-\$ 63,865.64
Percentage of Original Contract Value Dispersed:	115%

PAYMENT SUMMARY

Total Value of Work to Date as per attached schedule	\$ 477,533.14
Less: For uncompleted work	\$0.00
Work Performed to Date	\$477,533.14
Less: Statutory Holdback-10%	\$47,753.31
Holdback for Liens	\$0.00
Guaranteed Maintenance-3%	\$14,325.99
Liquidated Damages	\$0.00
Total Holdbacks	\$62,079.30
Total Net Due to Date	\$415,453.84
Less: Amount paid on previous certificates	
Recommended This Certificate	\$415,453.84
13% HST	\$54,009.00
Total Payment This Certificate	\$469,462.84

Recommended for Payment:

Date: December 14, 2021


 Larry McGregor, Project Manager



Town of Goderich
Cove Area - Dog Walk - Lakeshore Protection
Project No. 20269

Progress Payment Certificate No. 1
SCHEDULE OF ITEMS AND PRICES

Item	Description	Qty./Unit	Price	Amount	Previous Certificate		Total To Date		Current Payment	
					Qty.	Amount	Qty.	Amount	Qty.	Amount
Part 1	North Portion									
1	Mobilization, demobilization etc.	1 L.S.	\$ 5,075.00	\$ 5,075.00				\$ 5,075.00	1.00	\$ 5,075.00
2	Excavation and preparation for placement of armour stone including termination, toe stone embedment, and grading of embankment area. Includes removal of trees and shrubs, and grading of existing protection as required at the toe and the slope.	80 m	\$ 14.30	\$ 1,144.00				\$ 1,144.00	80.00	\$ 1,144.00
3	Armour stone - in toe and on slope	1100 t	\$ 124.25	\$ 136,675.00				\$136,675.00	1100.00	\$ 136,675.00
4	Supply and place filter stone									
a)	Filter stone under armouring (rip rap)	900 t	\$ 55.00	\$ 49,500.00				\$ 22,292.05	405.31	\$ 22,292.05
b)	Chinking stone (gabion stone)	50 t	\$ 55.00	\$ 2,750.00				\$ 13,297.35	241.77	\$ 13,297.35
5	Supply and place non-woven geotextile (measured along top of protection parallel to roadway)	80 m	\$ 37.00	\$ 2,960.00				\$ 2,960.00	80.00	\$ 2,960.00
6	Imported levelling stone (provisional)	100 t	\$ 43.40	\$ 4,340.00				\$ 2,613.11	60.21	\$ 2,613.11
7	Restoration of beach area including lower and upper shoreline along access lane. Area between rip rap (at top of slope) and access lane to be restored using 100mm topsoil and seed	80 m	\$ 90.00	\$ 7,200.00						\$ -
8	Contingency allowance	1 L.S.	\$ 10,000.00	\$ 10,000.00	-	-		\$ 10,000.00	1.00	\$ 10,000.00
9	Traffic control, detour, pedestrian safety	1 L.S.	\$ 1,950.00	\$ 1,950.00				\$ 1,950.00	1.00	\$ 1,950.00
10	Cost of insurance and bonding	1 L.S.	\$ 2,000.00	\$ 2,000.00				\$ 2,000.00	1.00	\$ 2,000.00
11	Lump sum to cover all other requirements o	1 L.S.	\$ 2,000.00	\$ 2,000.00				\$ 2,000.00	1.00	\$ 2,000.00
	Total - Part 1 (North Portion)			\$ 225,594.00				\$200,006.51		\$ 200,006.51
Part 2	South Portion									
1	Mobilization, demobilization etc.	1 L.S.	\$ 5,075.00	\$ 5,075.00				\$ 5,075.00	1.00	\$ 5,075.00
2	Excavation and preparation for placement of armour stone including termination, toe stone embedment, and grading of embankment area. Includes removal of trees and shrubs, and grading of existing protection as required at the toe and the slope.	65 m	\$ 14.30	\$ 929.50				\$ 1,823.25	127.50	\$ 1,823.25
3	Armour stone - in toe and on slope	900 t	\$ 124.25	\$ 111,825.00				\$219,804.46	1769.05	\$ 219,804.46
4	Supply and place filter stone									
a)	Filter stone under armouring (rip rap)	750 t	\$ 55.00	\$ 41,250.00				\$ 18,238.55	331.61	\$ 18,238.55
b)	Chinking stone (gabion stone)	40 t	\$ 55.00	\$ 2,200.00		-		\$ 10,879.55	197.81	\$ 10,879.55

Progress Payment Certificate No. 1
SCHEDULE OF ITEMS AND PRICES

Item	Description	Qty./Unit	Price	Amount	Previous Certificate		Total To Date		Current Payment	
					Qty.	Amount	Qty.	Amount	Qty.	Amount
5	Supply and place non-woven geotextile (measured along top of protection parallel to roadway)	65 m	\$ 37.00	\$ 2,405.00				\$ 4,717.50	127.50	\$ 4,717.50
6	Imported levelling stone (provisional)	85 t	\$ 43.40	\$ 3,689.00				\$ 2,138.32	49.27	\$ 2,138.32
7	Restoration of beach area including lower and upper shoreline along access lane. Area between rip rap (at top of slope) and access lane to be restored using 100mm topsoil and seed	65 m	\$ 90.00	\$ 5,850.00				\$ -		\$ -
8	Contingency allowance	1 L.S.	\$ 10,000.00	\$ 10,000.00				\$ 10,000.00	1.00	\$ 10,000.00
9	Traffic control, detour, pedestrian safety	1 L.S.	\$ 1,350.00	\$ 1,350.00				\$ 1,350.00	1.00	\$ 1,350.00
10	Cost of insurance and bonding	1 L.S.	\$ 1,500.00	\$ 1,500.00				\$ 1,500.00	1.00	\$ 1,500.00
11	Lump sum to cover all other requirements o	1 L.S.	\$ 2,000.00	\$ 2,000.00		-		\$ 2,000.00	1.00	\$ 2,000.00
Total - Part 2 (South Portion)				\$ 188,073.50				\$ 277,526.63		\$ 277,526.63
SUMMARY										
Total - Part 1 (North Portion)				\$ 225,594.00				\$ 200,006.51		\$ 200,006.51
Total - Part 2 (South Portion)				\$ 188,073.50				\$ 277,526.63		\$ 277,526.63
TOTAL VALUE OF WORK TO DATE				\$ 413,667.50				\$ 477,533.14		\$ 477,533.14