

B. M. ROSS AND ASSOCIATES LIMITED
Engineers and Planners
62 North Street, Goderich, ON N7A 2T4
p. (519) 524-2641 www.bmross.net

File No. 20152

VIA EMAIL ONLY

November 16, 2022

Rob Medeiros
J-AAR Excavating Limited
3003 Page Street
London, ON N5V 4J1

**RE: North Shore Road and Trail Rehabilitation; Contract No. 02-6320-6110
Substantial Performance**


Enclosed is a pdf. copy of a Contract Release, a combined Statutory Declaration re Liens & Liabilities & Payment of Accounts, and the Certificate of Substantial Performance.

Please complete the Contract Release and the Declaration in triplicate and forward all copies along with your Statement of Good Standing from the WSIB to this office. If these forms are being emailed back, scan and forward to the attention of derb@bmross.net. Seals shall be visible on the scanned document.

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 
Dale Erb, P. Eng., Contract Administrator

DLE:hv
Encl.
c.c. Ryan Errington, Town of Saugeen Shores

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)			

8. That the above-named Contractor has not had any notice of any grounds for a claim (other than those covered by paragraph 7 above) connected with this contract by a third party and for which a claim might be made and I believe that no such claim will be made.

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 _____ of)
in the County of _____)
this _____ day of _____)
A.D. 20 _____)

A Commissioner, etc. or Notary Public

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

Construction Act

Town of Saugeen Shores

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

600 Tomlinson Drive, P. O. Box 820, Port Elgin, ON N0H 2C0

(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:

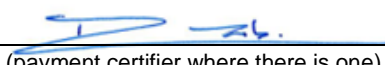
North Shore Road and Trail Rehabilitation, Contract No. 02-6320-6110

(short description of the improvement)

to the above premises was substantially performed on November 10, 2022

(date substantially performed)

Date certificate signed: November 16, 2022


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

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

Name of owner: Town of Saugeen Shores

Address for service: 600 Tomlinson Drive, P. O. Box 820, Port Elgin, ON N0H 2C0

Name of contractor: J-AAR Excavating Limited

Address for service: 3003 Page Street, London, ON N5V 4J1

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 Saugeen Shores, 600 Tomlinson Drive, P. O. Box 820, Port Elgin, ON N0H 2C0

(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)