



December 16, 2022

Via: Email (rroubos@rfsltd.ca)

Roubos Farm Service Ltd.
8750 Concession 11
Moorefield ON N0G 2K0

Dear Mr. Roubos:

**Re: Substantial Performance
Alton Cemetery Retaining Wall Replacement – Town of Caledon
Project No.: 300050931.0000**

Enclosed please find the Certificate of Substantial Performance for the above noted project, which was substantially completed on November 9, 2022.

After the expiration of 60 days from the date of advertisement of the Certificate of Substantial Performance, the Town of Caledon will reduce the holdbacks to 2% warranty, subject to Roubos Farm Services Ltd. 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;
- A Certificate of Clearance from the Workplace Safety and Insurance Board; and
- A signed copy of the Contract Release Form by the Contractor releasing the Township from all further claims relating to the work completed up to November 9, 2022.

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

Yours truly,

R.J. Burnside & Associates Limited

Andrew Dawson
Interim Contract Administrator
AD:ao

Enclosure(s) Contract Release
Form 9 – Certificate of Substantial Performance

Other than by the addressee, copying or distribution of this document, in whole or in part, is not permitted without the express written consent of R.J. Burnside & Associates Limited.

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CONTRACT RELEASE

IN THE MATTER of the contract known as Contract No. RFT2022-98
entered into between Town of Caledon (the Owner)
AND Roubos Farm Services Ltd. (the Contractor),
for the construction of Alton Cemetery Retaining Wall Replacement
in Alton, Town of Caledon, Ontario.

KNOW ALL MEN BY THESE PRESENTS that I/We

Roubos Farm Services Ltd.

(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

Town of Caledon

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

19726 3 Line W, Alton, ON L7K 0C5 (Alton Cemetery)

(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:

Alton Cemetery Retaining Wall Replacement

(short description of the improvement)

to the above premises was substantially performed on **November 9, 2022**

(date substantially performed)

Date certificate signed: **December 16, 2022**



(payment certifier where there is one)

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

Name of owner: **Town of Caledon**

Address for service: **6311 Old Church Road, Caledon, Ontario L7C 1J6**

Name of contractor: **Roubos Farm Services Ltd.**

Address for service: **8750 Concession 11, Moorefield, ON N0G 2K0**

Name of payment certifier (where applicable): **R.J. Burnside & Associates Ltd.**

Address: **15 Townline, Orangeville, ON 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:

6311 Old Church Road, Caledon, ON L7C 1J6

(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)