



December 20, 2022

Our File: 317060

Via email: Bmarcaccio@mcleantaylor.com  
McLean Taylor Construction Ltd.  
100 Water St. S, PO Box 190  
St. Mary's, ON. N4X 1B1

Attention: Braeden Marcaccio. Project Manager

Re: North Perth Structure L-2  
Davidson Avenue Bridge Replacement  
Substantial Performance

Dear Mr. Marcaccio:

This letter has been prepared in regard to completion of the above-noted contract. GMBP reviewed the project site on December 19, 2022 and has determined that the project satisfies the conditions of Substantial Performance as set out in the Construction Act, R.S.O. 1990, c. C.30, as amended (the Act). Please find attached our Certificate of Substantial Performance (Form 9) and our Substantial Performance Pre-Clearance Form. As required by Section 32(1) paragraph 5 of the Act, you are now required to publish a copy of the certificate in a manner set out by the regulations.

The Substantial Performance Statutory Holdback Release Payment Certificate shall be due 61 days after the date of publication of the Certificate of Substantial Performance, but subject to the provisions of the Construction Act and your submission of the following documents:

1. A Statutory Declaration form;
2. A satisfactory Certificate of Clearance from the Workplace Safety and Insurance Board;
3. Confirmation that you agree to the quantities stated in the Payment Certificate as representing the total work carried out under the Contract, and that you forego the right to make any further claim against the Owner in respect to this Contract (we will provide a form for your review and signature); and,
4. Proof of publication of the Certificate of Substantial Performance.

Please note that it is your responsibility to provide proof of publication so that we may determine the date of release for the Statutory Holdback.

The 24-month period of Guaranteed Maintenance per Article II, item e of the Contract for all work completed to date commences as of December 19, 2022.

If you have any questions regarding this payment certificate, please do not hesitate to call.

Regards,

GM BLUEPLAN ENGINEERING LIMITED

Per:

A handwritten signature in blue ink, appearing to read 'Ben Gowing'.

Ben Gowing, P.Eng.

Encl.

cc: Lyndon Kowch, Municipality of North Perth (lkowch@northperth.ca)

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

*Construction Act*

**Municipality of North Perth**

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

**Structure L-2 (Davidson Avenue Bridge), Davidson Avenue North at Queen Street, Listowel, ON**

(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:

**Contract No. 317060 – Bridge L-2 Replacement Davidson Avenue North**

(short description of the improvement)

to the above premises was substantially performed on:

**December 19, 2022**

(date substantially performed)

Date certificate signed: **December 20, 2022**



(payment certifier where there is one)

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

Name of owner: **The Municipality of North Perth**

Address for service: **330 Wallace Ave. N, Listowel, ON N4W 1L3**

Name of contractor: **McLean Taylor Construction Ltd.**

Address for service: **100 Water St. S, PO Box 190, St. Mary's, ON N4X 1B1**

Name of payment certifier (where applicable): **GM BluePlan Engineering Limited**

Address: **975 Wallace Ave. N, Listowel, ON N4W 1M6**

(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:

**The Municipality of North Perth – 330 Wallace Ave. N, Listowel, ON N4W 1L3**

(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)

**SUBSTANTIAL PERFORMANCE PRE-CLEARANCE FORM**  
**CONTRACT NO. 317060 (Structure L-2 Replacement)**  
**GM BLUEPLAN NO. 317060**

Contract Price (amount authorized by Council excluding any contingencies) : \$ 1,992,123.93

**Value of construction (revised Contract Price)** : \$ **1,880,534.90**  
(as of Payment Certificate #9)

**"3-2-1" CALCULATION**

3% of the first \$1,000,000.00 of the Contract Price : \$ 30,000.00

2% of the next \$1,000,000.00 of the Contract Price : \$ 19,842.48

1% of the remainder of the Contract Price : \$ -

**TOTAL of 3-2-1 calculation** : **\$ 49,842.48**

(must be greater than the total value of Work and deficiencies set out above)

Is the Work ready for use or being used for its intended purposes? Y

Value of cost to complete Work remaining to be done (see breakdown below) : \$ 46,693.38

Value of cost to correct all known deficiencies (see breakdown below) : \$ -

**TOTAL value of outstanding Work and deficiencies** : **\$ 46,693.38**

(must be less than the total of 3-2-1 calculation set out below)

**Work Remaining as of December 19, 2022:**

B.14 - Pedestrian Railing on Retaining Walls \$ 10,666.50

C.15 - Hot Mix HL 3 Surface Asphalt (40mm) \$ 19,282.80

C.16 - Form and Fill Grooves \$ 2,399.88

C.20 - Topsoil and Unstaked Sod (Boulevards and Maintained Areas) \$ 9,817.20

C.21 - Topsoil and Hydroseed (Embankments) \$ 4,527.00

**Subtotal** **\$ 46,693.38**

**Deficiency Items as of December 19, 2022:**

None \$ -

**Subtotal** **\$ -**

I certify on behalf of the Owner that the above information correctly shows the status of the Contract as of: December 19, 2022



Ben Gowing, P.Eng.