

VIA EMAIL

March 7, 2023

File No. 215147

K.J. Excavating Inc.  
373 Warminster Sideroad  
Coldwater, Ontario  
L0K 1E0

**Attn: Tom Thomason  
Construction Manager**

**Re: County of Simcoe  
Mulmur-Tosorontio Townline Bridge 000345 Replacement - Site Preparation  
Contract No. 2022B000345-949-01  
Certificate of Substantial Performance**

Dear Mr. Thomason:

Please find enclosed the "Certificate of Substantial Performance" issued on March 6, 2023 for the above referenced project.

In accordance with the Contract Agreement and Section 6.1 of the Supplementary Terms and Conditions, the Warranty Period is twelve (12) months from the date of Substantial Performance of the Work. Therefore, the Warranty Period expires on March 6, 2024.

Further, in accordance with Sections GC 8.02.04.05 of the General Conditions, release of the 10% lien holdback shall be made sixty-one (61) days after the date of publication of this "Certificate of Substantial Performance" provided that no liens are registered and we have received a copy of the required Statutory Declaration and Clearance Certificate from the Workplace Safety and Insurance Board (WSIB).

It is your responsibility to publish the Certificate in a construction trade newspaper (Daily Commercial News) for at least one edition. Please notify us of the date of publication of the Certificate.

If you have any questions regarding this matter, please do not hesitate to contact us.

Yours truly,

**AINLEY & ASSOCIATES LIMITED**



Steve Empey C.Tech, rcji  
Project Coordinator

SRE/\\ag-barrie\\ns1\\Engineering\\Barrie\\215147\\Contract Administration\\Site Prep\\Progress Payments\\Substantial Performance\\215147 - Substantial Performance Certificate.docx

cc: Julie Scruton & Jae Park, County of Simcoe

## FORM 9

### CERTIFICATE OF SUBSTANTIAL PERFORMANCE OF THE CONTRACT UNDER SECTION 32 OF THE ACT

*Construction Act*

**County of Simcoe, Township of Adjala-Tosorontio**

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

**In vicinity of bridge over Mud Creek on Mulmur-Tosorontio Townline between Tosorontio Sideroad 30 and 32**

(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:

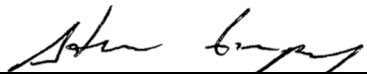
**Mulmur-Tosorontio Townline Bridge 000345 Replacement - Site Preparation, Contract No. 2022B000345-949-01**

(short description of the improvement)

to the above premises was substantially performed on **March 6, 2023**

(date substantially performed)

Date certificate signed: **March 7, 2023**



(payment certifier where there is one)

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

Name of owner: **Corporation of the County of Simcoe**

Address for service: **1110 Highway 26, Midhurst, Ontario L9X 1N6**

Name of contractor: **K.J Excavating Inc.**

Address for service: **373 Warminster Sideroad, Coldwater, Ontario, L0K 1E0**

Name of payment certifier (where applicable): **Steve Empey (Ainley & Associates Limited)**

Address: **550 Welham Road, Barrie, Ontario, L4N 8Z7**

(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:

**Corporation of the County of Simcoe**  
**1110 Highway 26, Midhurst, Ontario, L9X 1N6**

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