

October 24, 2023

Via email only to: rbansal@sitedevelopment.ca

Four Seasons Site Development Ltd.
1-42 Wentworth Court
Brampton ON L6T 5K6

Attention: Rohit Bansal:

Re: SUBSTANTIAL PERFORMANCE - Contract No. RFTC-957-22-23-191
Partial Depth Removal of Asphalt Pavement and Hot Mix Asphalt Paving at Various
Locations in the Region of York
Our File: L01 3998

In accordance with the *Construction Act*, R.S.O. 1990, c. C.30, s. 2, Contract No. RFTC-957-22-23-191 is substantially performed. Enclosed is a Certificate of Substantial Performance for this contract. Please arrange for the publication of the certificate in the Daily Commercial News.

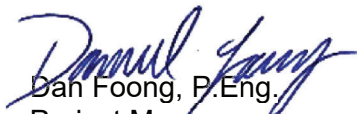
In accordance with the terms of the contract, the following documents should be uploaded to the PI Portal within 15 calendar days of the date of this letter:

1. Proof of publication of the Certificate of Substantial Performance
2. Release
3. WSIB Certificate of Clearance
4. Declaration of Known Adjudication
5. Proper Invoice for the unpaid work completed up to the date of Substantial Performance

The forms of Release and Declaration of Known Adjudication acceptable to The Regional Municipality of York are attached for your use.

Should you have any questions or concerns, please contact me.

Sincerely,



Dan Foong, P.Eng.
Project Manager

DF/ch

Attachments

Copy to: Vanessa Vanclief, Legal Assistant, Legal Services, York Region
Jennifer Leitch, Senior Risk Management Analyst, Controllershship Office, via e-mail
insurancecertificates@york.ca
John Cheng, Sarah Clark, Ivy Mak, Finance Department, York Region
Anthony Gagliardi, Construction Coordinator, Public Works, York Region

#15793140

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

The Regional Municipality of York

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

Various Locations in the Region of York

(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. RFTC-957-22-23-191 - Partial Depth Removal of Asphalt Pavement and Hot Mix Asphalt Paving

(short description of the improvement)

to the above premises was substantially performed on September 16, 2023.

(date substantially performed)

Date Certificate Signed: October 24, 2023

(payment certifier where there is one)

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

Name of owner: The Regional Municipality of York

Address for service: Office of the Regional Clerk, 17250 Yonge Street, Newmarket, ON, L3Y 6Z1; regionalclerk@york.ca

Name of contractor: Four Seasons Site Development Ltd.

Address for service: 1-42 Wentworth Court, Brampton, Ontario L6T 5K6

Name of payment certifier (where applicable):

Address:

(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 Regional Municipality of York, Office of the Regional Clerk, 17250 Yonge Street, Newmarket, ON L3Y 6Z1;
regionalclerk@york.ca

(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)

RELEASE

IN THE MATTER OF a contract for Partial Depth Removal of Asphalt Pavement and Hot Mix Asphalt Paving at Various Locations in the Region of York, known as Contract No. RFTC-957-22-23-191, entered into between The Regional Municipality of York (the "Region") and Four Seasons Site Development Ltd. (the "Contractor").

KNOW ALL MEN BY THESE PRESENTS THAT the Contractor, on its own behalf and on behalf of its Subcontractors, and their respective heirs, executors, administrators, successors and assigns, as the case may be (the "Releasor"), for and in consideration of the payment or promise to pay the statutory holdback under the above-mentioned contract, and for other good and valuable consideration, hereby remises, releases and forever discharges the Region, and its directors, officers, council members, partners, employees, agents, assigns and successors (the "Releasee"), of and from all manner of actions, causes of action, suits, debts, dues, sums of money, claims and demands whatsoever at law or in equity which the Releasor ever had, now has, or may have by reason of the above-mentioned contract, save and except any claim which the Releasor has arising out of:

1. Claims pursuant to GC7 – Claims, Disputes and Adjudication made prior to Substantial Performance of the Contract and still unsettled, as listed in the attached "Schedule of Outstanding Claims"
2. The retention by the Region of the maintenance security, if applicable
3. Pending/Unresolved Change Orders as listed in the attached "Schedule of Pending/Unresolved Change Orders"
4. Quantities which have not been finalized

With respect to item 1, the Contractor acknowledges and agrees that none of the claims listed in the attached "Schedule of Outstanding Claims" have been admitted, acknowledged or accepted by the Region as valid claims. The Contractor further acknowledges that nothing in this Release prevents or estops the Region from disputing the validity, timeliness and quantum of the claims listed therein.

Dated this _____ day of _____ 20____.

WITNESSED BY:

SIGNED, SEALED AND DELIVERED

CONTRACTOR

Name:

Name:

(Seal)

Title:

Name:

Name:

(Seal)

Title:

I/We have authority to bind the corporation

SCHEDULE OF OUTSTANDING CLAIMS

Description of Dispute	Value of Dispute

SCHEDULE OF PENDING/UNRESOLVED CHANGE ORDERS

C.O. #	Description of Change Order	Value of Change Order

DECLARATION OF KNOWN ADJUDICATIONS

I, _____ of Four Seasons Site Development Ltd. declare that:
(name of declarant) (name of contractor)

1. I am the _____ of Four Seasons Site Development Ltd.
(title or position of declarant) (name of contractor)

and as such have knowledge of the facts herein declared.

2. That Four Seasons Site Development Ltd. entered into Contract No. RFTC-957-22-23-191
(name of contractor) (contract number)

with The Regional Municipality of York for:

Partial Depth Removal of Asphalt Pavement and Hot Mix Asphalt Paving at Various Locations in the Region of York

(description of contract)

3. That Four Seasons Site Development Ltd. is not engaged in any adjudication with
(name of contractor)

respect to Contract No. RFTC-957-22-23-191 except for those adjudications
(contract number)

identified in Schedule A – Known Adjudications.

4. That Four Seasons Site Development Ltd. is not aware of any adjudication in which any
(name of contractor)

subcontractors or suppliers are engaged in with respect to Contract No. RFTC-957-22-23-191
(contract number)

except for those adjudications identified in Schedule A – Know Adjudications, and has made reasonable enquiries to confirm this.

Date

Signature of Declarant

Schedule A - Known Adjudications

[illegible]