

November 28, 2023

Peter Linton
Miller Paving Limited
27 Ram Forest Road, Stouffville ON L4A 2G8

Dear Mr. Linton:

Re: SUBSTANTIAL & TOTAL PERFORMANCE - Contract No. RFTC-842-22-23-181
Microsurfacing at Various Locations in the Towns of Georgina and Whitchurch-Stouffville and
the Township of King
Our File No. L01 39960

In accordance with the *Construction Act*, R.S.O. 1990, c. C.30, s. 2, Contract No. RFTC-842-22-23-181 is substantially performed and deemed to be complete. Enclosed are Certificates of Substantial and Total Performance for this contract. Please sign both certificates and arrange for the publication of the Certificate of Substantial Performance 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. Signed Certificate of Total Performance
3. Release
4. WSIB Certificate of Clearance
5. Declaration of Known Adjudication
6. Proper Invoice for the unpaid work completed up to the date of Total 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,



Colin Wong
Senior Project Manager

CW/eg

Copy to: Susan Su, Legal Assistant, Legal Services, York Region
Jennifer Leitch, Senior Risk Management Analyst, Controllership Office, via e-mail insurancecertificates@york.ca
John Cheng, Sarah Clark, Ivy Mak, Finance Department, York Region
Abdus Sobahan, Construction Administrator, Public Works, York Region

YORK # 15875118

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 Towns of Georgina and Whitchurch-Stouffville and the Township of King

(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-842-22-23-181 - Microsurfacing

(short description of the improvement)

to the above premises was substantially performed on October 17, 2023.

(date substantially performed)

Date Certificate Signed: 2023-11-28

(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: Miller Paving Limited

Address for service: 27 Ram Forest Road, Stouffville ON L4A 2G8

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)

CERTIFICATE OF TOTAL PERFORMANCE OF THE CONTRACT

This is to certify that the contract for the following improvement:

CONTRACT NO. RFTC-842-22-23-181

for

Microsurfacing at Various Locations in the Towns of Georgina and Whitchurch-Stouffville and
the Township of King

was totally performed on:

October 17, 2023

The Regional Municipality of York

Miller Paving Limited

Name:  Colin Wong

Title: Senior Project Engineer

Name:

Title:

RELEASE

IN THE MATTER OF a contract for Microsurfacing at Various Locations in the Towns of Georgina and Whitchurch-Stouffville and the Township of King, known as Contract No. RFTC-842-22-23-181, entered into between The Regional Municipality of York (the "Region") and Miller Paving Limited (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 Total Performance of the Contract and still unsettled, as listed in the attached "Schedule of Outstanding Claims"
1. The retention by the Region of the maintenance security, if applicable
2. Pending/Unresolved Change Orders as listed in the attached "Schedule of Pending/Unresolved Change Orders"
3. 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

Miller Paving Limited

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 Miller Paving Limited declare that:
(name of declarant) (name of contractor)

1. I am the _____ of Miller Paving Limited
(title or position of declarant) (name of contractor)
and as such have knowledge of the facts herein declared.

2. That Miller Paving Limited entered into Contract No. RFTC-842-22-23-181
(name of contractor) (contract number)
with The Regional Municipality of York for:
Microsurfacing at Various Locations in the Towns of Georgina and Whitchurch-
Stouffville and the Township of King
(description of contract)

3. That Miller Paving Limited is not engaged in any adjudication with
(name of contractor)
respect to Contract No. RFTC-842-22-23-181 except for those adjudications
(contract number)
identified in Schedule A – Known Adjudications.

4. That Miller Paving Limited is not aware of any adjudication in which any
(name of contractor)
subcontractors or suppliers are engaged in with respect to Contract No. RFTC-842-22-23-181
(contract number)
except for those adjudications identified in Schedule A – Known Adjudications, and has
made reasonable enquiries to confirm this.

Date

Signature of Declarant

Schedule A - Known Adjudications

[illegible]