

File 409390

December 1, 2023

Doug Bell  
Georgian Paving Ltd.  
25 Bertram Industrial Pkwy.  
Midhurst, Ontario L0L 1X0  
doug.bell@georgianpaving.ca

Jordan Johnston  
Georgian Paving Ltd.  
25 Bertram Industrial Pkwy.  
Midhurst, Ontario L0L 1X0  
jordanjohnston@millergroup.ca

Re: County Road 21 Improvements – Phase 1 Close Out  
RFT 2023R21-041-04 – Substantial Performance

Dear Doug:

On behalf of the Owner, we are pleased to enclose a Certificate of Substantial Performance (Form 9) in support of the Contract Reference.

In conjunction with the above, we note the following:

- November 28, 2023 was established as the date of Substantial Performance, based on the work completed;
- The 24-month warranty period will extend to November 28, 2025 for the majority of the project, provided all obligations of the Contract have been met, with the exception of the sod and seed, base asphalt between Sta 19+750 – Sta 20+440 (eastbound lanes) and concrete curb between Sta 19+750 – 20+440;
- In the spring of 2024, an inspection of the area of sod and seed need to be completed. When growth has been established to the satisfaction of the Contract Administrator, the 24-month warranty on these items will commence;
- As per EWO #11, an additional 24-month warranty will be extended on base course asphalt between Sta 19+750 – Sta 20+440 (eastbound lanes) until November 28, 2027;
- As per EWO #12. An additional 24 month warranty will be extended on the concrete curb between Sta 19+750 – Sta 20+440 until November 28, 2027, and

- a site inspection was undertaken on inspection date from which the attached list of known deficiencies was established.

The following are required of Recipient Company:

- a written schedule to document when the noted deficiencies will be corrected;
- a proper invoice to support the application (PPC #5); and
- a proper invoice submission in support of the release of the Statutory Holdback issued prior to the end of the 60-day lien period.

The proper invoice submission shall include the following documentation:

1. a release by the Contractor in a form satisfactory to the Contract Administrator releasing the Owner from all further claims relating to the Contract, qualified by stated exceptions;
2. a statutory declaration in a form satisfactory to the Contract Administrator that all liabilities incurred by the Contractor and the Contractor's Subcontractors in carrying out the Contract have been discharged except for statutory holdbacks properly retained;
3. a satisfactory Certificate of Clearance from the Workplace Safety and Insurance Board; and
4. proof of publication of the Certificate of Substantial Performance in the Daily Commercial News.

We trust the above satisfactory. Should you have any questions or require clarification, please do not hesitate to contact us.

Yours truly,

**Tatham Engineering Limited**



Andrew Little, MRICS  
Senior Contract Administrator  
AL:klc

copy: Julie Scruton, County of Simcoe, Julie.Scruton@simcoe.ca  
Clare Walker, County of Simcoe, Clare.walker@simcoe.ca  
Jeff Capling, InnServices jcapling@innservices.co  
Kirk Larcina, Tatham Engineering, klarcina@tathameng.com  
Shannon Roulston, Tatham Engineering, sroulston@tathamend.com



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

*Construction Act*

County of Simcoe

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

1110 Highway 26, Midhurst, ON, L9X 1N6

(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:

County Road 21 - Phase 1

(short description of the improvement)

to the above premises was substantially performed on November 28, 2023

(date substantially performed)

Date certificate signed: December 1, 2023



(payment certifier where there is one)

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

Name of owner: County of Simcoe

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

Name of contractor: Georgian Paving

Address for service: 25 Bertram Industrial Parkway, Midhurst, ON L0L 1X0

Name of payment certifier (where applicable): Tatham Engineering

Address: 41 King Street, Barrie, ON, L4N 6B5

(Use A or B, whichever is appropriate)

☐ A. Identification of premises for preservation of liens:

1110 Highway 26, Midhurst, ON, L9X 1N6

(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:

(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)