



TRANSPORTATION AND
ENVIRONMENTAL SERVICES
Design and Construction

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Refer To:
Boris Latkovic

File No:
05417

Date:
May 24, 2024

Sent by email

Ben Syvret, Project Manager
Capital Paving

Re: Contract 2023-103, Church Street East Reconstruction - Substantial Performance

Dear Sir:

Please find attached the Substantial Performance Certificate for the above referenced contract. Please note that for release of statutory holdback for work done up to substantial performance the following requirements have to be met as per OPSS General Conditions and proof of compliance submitted to this office:

- a) 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 such as outstanding work or matters arising out of subsection GC 3.13, Claims, Negotiations, Mediation;
- b) 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;
- c) A satisfactory Certificate of Clearance from the Workplace Safety and Insurance Board; and
- d) Proof of publication of the Certificate of Substantial Performance in a Construction related Publication preferably "The Daily Commercial News".

Payment of such statutory holdback related to work done up to Substantial Performance shall be due 45 Days after the date of publication of the Certificate of Substantial Performance as per GC 8.02.03.04.05 and subject to the provisions of the Construction Lien Act and the submission by the Contractor of the above mentioned documents.

If you have any questions or concerns, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink that reads "Latkovic Boris".

Boris Latkovic
Project Manager

Encl: Substantial Performance Certificate
CC: Jim Ellerman, Head, Capital Engineering, Region of Waterloo

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

Construction Act

Regional Municipality of Waterloo

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

Church Street East, Elmira, Township fo Woolwich

(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:

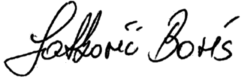
T2023-103 Church Street East Reconstruction from Duke Street to 230m East of Spruce Lane

(short description of the improvement)

to the above premises was substantially performed on **May 24, 2024**

(date substantially performed)

Date certificate signed: **May 27, 2024**



(payment certifier where there is one)

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

Name of owner: **Region of Waterloo**

Address for service: **150 Frederick Street. Kitchener, ON, N2G 4J3**

Name of contractor: **Capital Paving**

Address for service: **P.O Box 815, Lot 22 Concession #7, Puslinch Guelph ON N1H 6L8**

Name of payment certifier (where applicable): **Region of Waterloo**

Address: **150 Frederick Street. Kitchener, ON, N2G 4J3**

(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:

Clerk's Office Regional Municipality of Waterloo 150 Frederick Street, Kitchener, ON N2G 4J3

(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)