

VIA EMAIL

July 4, 2024

File No. 215166

Direct Underground Inc  
11244 Keele Street  
Unit 4, PO Box 636  
Maple, ON  
L6A 1S5

**Attn: Mathew Sardo, Project Manager**

**Re: Town of Newmarket  
Pony Drive Reconstruction & 2023 Road Resurfacing  
RFP #2023-020  
Certificate of Substantial Performance**

Dear Mr. Sardo:

Please find enclosed the "Certificate of Substantial Performance" dated July 4 2024, for the Pony Drive Reconstruction and 2023 Road Resurfacing project.

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 the "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).

Please note the Warranty Period is twenty-four (24) months from the date of the completion certificate, in accordance with Section 4.2.5 of the Contract.

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 or require further assistance with this matter, please feel free to contact the undersigned.

Yours truly,

**AINLEY & ASSOCIATES LIMITED**



Josh McLean, CET  
Engineering Technologist

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

*Construction Act*

**York Region Town of Newmarket**

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

**Ringwell Drive from Leslie Street to east dead end, Kerrisdale Boulevard from Ringwell Drive to east dead end and Pony Drive from Stellar Drive to Harry Walker Parkway, Newmarket Ontario**

(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:

**Pony Drive Reconstruction & 2023 Road Resurfacing, RFP 2023-020**

(short description of the improvement)

to the above premises was substantially performed on

**July 2 2024**

(date substantially performed)

Date certificate signed:

**July 4 2024**



(payment certifier where there is one)

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

Name of owner:

**Town of Newmarket**

Address for service:

**395 Mulock Drive, Newmarket, ON, L3Y 4X7**

Name of contractor:

**Direct Underground Inc.**

Address for service:

**11244 Keele Street Unit 4, PO Box 636, Maple ON, L6A 1S5**

Name of payment certifier  
(where applicable):

**Josh McLean, CET (Ainley & Associates Limited)**

Address:

**550 Welham Road, Barrie, ON, 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:

**Town of Newmarket, 395 Mulock Drive, Newmarket, Ontario, L3Y 4X7**

(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)