

File 323897

September 23, 2024

Jonathan Gilkinson
Project Manager
Arnott Construction Limited
2 Bertram Industrial Parkway
Midhurst, Ontario L9X 1L2
jgilkinson@arnottgroup.com

Re: 323897 Bridge 206 Replacement Concession Road 9, Township of Ramara
Certificate of Substantial Performance

Dear Jonathan:

On behalf of the Township of Ramara, we are pleased to enclose a Certificate of Substantial Performance (Form 9) in support of 323897 Bridge 206 Replacement Concession Road 9.

In conjunction with the above, we note the following:

- a site inspection was undertaken on September 13, 2024, from which the attached list of known deficiencies was documented;
- our assessment of the remaining work to be completed as well as the costs to correct known defects is less than the limits provided for within the Construction Act, R.S.O. 1990, chapter C.30, as detailed in the attached clearance form;
- our site inspection completed on the above-noted date confirmed the improvements made under this Contract are ready for use or are being used for the purposes intended;
- September 12, 2024 was established as the date of Substantial Performance, based on the work completed and itemized on Arnott Construction Limited's draft invoice for September 2024; and
- the warranty duration warranty period will extend to September 12, 2026, provided all obligations of the Contract have been met.

The following are required of Arnott Construction Limited:

- 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 a construction trade newspaper.

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



Brad Laking, P.Eng.

Senior Engineer, Group Leader - Municipal

BL: ms

Encl.

copy: Josh Kavanagh
Matt Scott

Township of Ramara
Tatham Engineering Limited

jkavanagh@ramara.ca
mscott@tathameng.com

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

Construction Act

Township of Ramara

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

Concession Road 9, 300 m west of Highway 12

(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:

323897 Bridge 206 Replacement Concession Road 9

(short description of the improvement)

to the above premises was substantially performed on **September 12, 2024**

(date substantially performed)

Date certificate signed: **September 23, 2024**

(payment certifier where there is one)

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

Name of owner: **The Corporation of the Township of Ramara**

Address for service: **P.O. Box 130, 2297 Highway 12, Brechin, Ontario L0K 1B0**

Name of contractor: **Arnott Construction Limited**

Address for service: **2 Bertram Industrial Parkway, Midhurst, Ontario L9X 1L2**

Name of payment certifier (where applicable): **Tatham Engineering Limited**

Address: **10 Diana Drive, Unit 7, Orillia, Ontario L3V 8K8**

(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 Corporation of the Township of Ramara, P.O. Box 130, 2297 Highway 12, Brechin, Ontario L0K 1B0

(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)

Deficiency List 1

File	Contract	Contract No.	
323897	Bridge 206 Replacement Concession Road 9	323897	
Date	Contractor	Owner	
September 23, 2024	Arnott Construction Limited	Township of Ramara	
Item	Description of Deficiency or Remaining Work	Date Noted	Date Rectified
1.	Vegetation to establish in seeded areas	Sept. 13, 2024	
Prepared by			
Matt Scott			
Distribution			
Jonathan Gilkinson		Arnott Construction Limited	jgilkinson@arnottgroup.com
Brad Neuen		Arnott Construction Limited	brad@arnottgroup.com

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Substantial Performance Clearance Form

File	Contract	Contract No.
323897	Bridge 206 Replacement Concession Road 9	323897
Date	Contractor	Municipality
September 23, 2024	Arnott Construction Limited	Township of Ramara

Contract Award Price (excluding contingency)	\$ 432,000.00
Value of Construction (revised Contract Price)	\$ 404,454.40
(as of draft Invoice for September 2024)	

Is the Improvement ready for use or being used for its intended purposes?	YES
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"3-2-1" Calculation for Substantial Performance

3% of the first \$1,000,000 of the revised Contract Price	\$ 12,133.63
2% of the next \$1,000,000 of the revised Contract Price	\$ -
1% of the balance of the revised Contract Price	\$ -
TOTAL "3-2-1" CALCULATION	\$ 12,133.63

(must be greater than "Total Value of Remaining Work and Deficiencies" set out below)

Work Remaining as of April 19, 2024:

None	\$ -
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TOTAL Work Remaining	\$ -
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Deficiency Items as of April 19, 2024:

Vegetation to establish in seeded areas (no money held)	\$ -
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TOTAL Estimated Costs to Correct Deficiencies	\$ -
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TOTAL VALUE OF REMAINING WORK AND DEFICIENCIES	\$ -
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Project satisfies requirements for Substantial Performance as set out in the Construction Act	YES
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Completed by: Brad Laking Tatham Engineering Limited	Signature: 
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