

File 223559

October 17, 2024

Nick Scarlette
Civil Superintendent
HLD Muskoka
50 Howland Drive Unit 4
Huntsville, Ontario P1H 2P9
nick@hldmuskoka.com

Re: Eagle Lake Culvert Replacement, Township of Machar
Certificate of Substantial Performance – RFT-223559-1

Dear Mr. Scarlette:

On behalf of the Township of Machar we are pleased to enclose a Certificate of Substantial Performance (Form 9) in support of the Eagle Lake Culvert Replacement – RFT-223559-1.

In conjunction with the above, we note the following:

- October 8, 2024 was established as the date of Substantial Performance, based on the work completed and itemized on HLD Muskoka Invoice No. F11-32701;
- the 12 months warranty period will extend to October 8, 2025, provided all obligations of the Contract have been met; and.
- a site inspection was undertaken on October 8, 2024, from which the following deficiencies were established.
 - all guide rail bolts to be tightened to manufacturer specifications; and,
 - guide rail post reflectors to be installed per Ontario Traffic Manuals.

The following are required of recipient company:

- a written schedule to document when the noted deficiencies will be corrected; 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



Brandon McKenzie, P.Eng.
Project Manager
BM:pt

copy: Clint Main
Angela Loney

Township of Machar
Township of Machar

macharrds@live.com
alonymachar@vianet.ca



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

Construction Act

Township of Machar

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

Park Road South, South River, Ontario in the Township of Machar

(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:

Eagle Lake Culvert Replacement

(short description of the improvement)

to the above premises was substantially performed on October 8, 2024

(date substantially performed)

Date certificate signed: October 17, 2024



(payment certifier where there is one)

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

Name of owner: Township of Machar

Address for service: 73 Municipal Road North, South River, Ontario P1A 1X0

Name of contractor: HLD Muskoka

Address for service: 50 Howland Drive, Unit 4, Huntsville, Ontario P1H 2P9

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

Address: 8 Barron Drive, Bracebrige, Ontario P1L0A1

(Use A or B, whichever is appropriate)

☐ A. Identification of premises for preservation of liens:

N/A - Municipal Owned Lands

(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:

73 Municipal Road North, South River, Ontario P1A 1X0

(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)