

July 29, 2020

**** VIA EMAIL ONLY TO: carlo@sanscon.com ****

Sanscon Construction Ltd.
75 Fenmar Drive
North York ON M9L 1M3

Dear Mr. Sansalone:

**Re: SUBSTANTIAL PERFORMANCE - Contract No. 20-230
AODA Modifications to Existing Traffic Control Signals and Repaving at
Markham Road (Y.R. 68) at Denison Street in the City of Markham
Our File: L01 83830 2020**

In accordance with the Construction Act, R.S.O. 1990, c. C.30, s. 2, Contract No. 20-230 is substantially performed. Enclosed is a Certificate of Substantial Performance (the "Certificate") for this contract. Please arrange for the publication of the Certificate in the Daily Commercial News.

In accordance with the terms of the contract, the following documents should be uploaded to the PI Portal within 15 calendar days of the date of this letter:

1. Proof of publication of the Certificate
2. Release
3. WSIB Certificate of Clearance
4. Declaration of No Adjudication
5. Proper Invoice for the unpaid work completed up to the date of Substantial Performance

The forms of Release and Declaration of No Adjudication acceptable to the Region are attached for your use.

Should you have any questions or concerns, please contact the undersigned at Kenter.zhang@york.ca.

Regards,



Kenter Zhang, P.Eng.
Project Manager

KZ/ja/dl

Attachments (3) Certificate of Substantial Performance, Release, and Declaration of No Adjudication

Copy to: John Cheng, Behnaz Maskani, Ivy Mak, Finance York Region via email only
Mark Dunn, Senior Risk Management Analyst, Finance Department, York Region via email only
Sheila Gallant, Senior Law Clerk, Legal and Court Services, York Region via email only
Jennifer Leitch, Risk Management Analyst, Controllership Office, York Region via email only
Rob Tunstead, Electrical Construction Coordinator, York Region via email only

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

The Regional Municipality of York

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

Markham Road at Denison Street in the City of Markham

(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:

Contract No. 20-230 - AODA Modifications to Existing Traffic Control Signals and Repaving

(short description of the improvement)

to the above premises was substantially performed on June 19, 2020.

(date substantially performed)

Date Certificate Signed: July 29, 2020



Kenter Zhang for the Regional Municipality of York

Sanscon Construction Ltd.

Name of owner: The Regional Municipality of York

Address for service: Office of the Regional Clerk, 17250 Yonge Street Newmarket ON, L3Y 6Z1

Name of contractor: Sanscon Construction Ltd.

Address for service: 79 Fenmar Drive, Toronto, ON M9L 1M3

Name of payment certifier (where applicable): _____

Address: _____

(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 Regional Municipality of York, Office of the Regional Clerk, 17250 Yonge Street, P.O. Box 147, Newmarket,
ON L3Y 6Z1

(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)

DECLARATION OF NO ADJUDICATION

I, _____
(name)

of Sanscon Construction Ltd.
(name of Contractor)

declare that:

1. I am the _____ of
(title or position)

Sanscon Construction Ltd.
(name of Contractor),

and as such have knowledge of the facts herein declared.

2. That Sanscon Construction Ltd
(name of Contractor)

entered into Contract No. 20-230 with The Regional Municipality of York for
(contract no)

AODA Modifications to Existing Traffic Control Signals and Repaving

at the intersection of Markham Road and Denison Street

(description of contract)

3. That Sanscon Construction Ltd.
(name of Contractor)

is not engaged in, nor aware of, any adjudication with respect to Contract No. 20-230,
(contract no)

nor is it aware of any adjudication in which any subcontractors or suppliers are engaged, and has made reasonable enquiries to confirm this.

Declared before me in _____
(City/Town)

in the Province of _____
(Province)

on the _____ day of _____, 20

Signature of Declarant

A Commissioner, etc.

RELEASE

IN THE MATTER OF a contract for AODA modifications to existing traffic control signals and repaving on Markham Road at Denison Street in the City of Markham, known as York Region Contract No. 20-230, entered into between The Regional Municipality of York (the "Region") and Sanscon Construction Ltd. (the "Contractor").

KNOW ALL MEN BY THESE PRESENTS THAT the Contractor, on its own behalf and on behalf of its Subcontractors, and their respective heirs, executors, administrators, successors and assigns, as the case may be (the "Releasor"), for and in consideration of the payment or promise to pay the statutory holdback under the above-mentioned contract, and for other good and valuable consideration, hereby remises, releases and forever discharges the Region, and its directors, officers, council members, partners, employees, agents, assigns and successors (the "Releasee"), of and from all manner of actions, causes of action, suits, debts, dues, sums of money, claims and demands whatsoever at law or in equity which the Releasor ever had, now has, or may have by reason of the above-mentioned contract, save and except any claim which the Releasor has arising out of:

1. Claims pursuant to GC7 – Claims, Disputes and Adjudication made prior to Substantial Performance of the Contract and still unsettled, as listed in the attached "Schedule of Outstanding Claims"
2. The retention by the Region of the maintenance holdback security, if applicable
3. Pending/unresolved Change Orders as listed in the attached "Schedule of Pending/Unresolved Change Orders"
4. Quantities which have not been finalized

With respect to item 1, the Contractor acknowledges and agrees that none of the claims listed in the attached "Schedule of Outstanding Claims" have been admitted, acknowledged or accepted by the Region as valid claims. The Contractor further acknowledges that nothing in this Release prevents or estops the Region from disputing the validity, timeliness and quantum of the claims listed therein.

Dated this _____ day of _____ 2020

WITNESSED BY:
DELIVERED

SIGNED, SEALED AND

(Seal)

(Seal)

SCHEDULE OF OUTSTANDING CLAIMS

Description of Dispute	Value of Dispute
N/A	Nil

SCHEDULE OF PENDING/UNRESOLVED CHANGE ORDERS

C.O. #	Description of Change Order	Value of Change Order

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