

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)

Various Locations

(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. T-16-60 - Application of Transverse Pavement Marking (2019)

(short description of the improvement)

to the above premises was substantially performed on December 31, 2019.
(date substantially performed)

Date Certificate Signed: December 2, 2020

(payment certifier where there is one)

P. Peterson



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

Name of owner: The Regional Municipality of York

Address for service: Office of the Regional Clerk, 17250 Yonge Street, Newmarket, ON, L3Y 6Z1; regionalclerk@york.ca

Name of contractor: Guild Electric Limited

Address for service: 470 Midwest Road, Toronto, ON M1P 4Y5

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, Newmarket, ON L3Y 6Z1;
regionalclerk@york.ca

(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)

CERTIFICATE OF TOTAL PERFORMANCE

This is to certify that the contract for the following improvement:

CONTRACT NO. T-16-60

for

Application of Transverse Pavement Marking at Various Locations

was totally performed on:

December 31, 2019

The Regional Municipality of York

Guild Electric Limited



Name: Peter Pilateris

Title: Manager, Roads Operations



Name: Stephen Lengyel

Title: C.E.O.

FULL AND FINAL RELEASE

IN THE MATTER OF a contract for application of transverse pavement marking at various locations, known as York Region Contract No. T-16-60, entered into between The Regional Municipality of York (the "Region") and Guild Electric Limited (the "Contractor"). Completed for the Contract Price of \$2,964,244.83 (exclusive of tax).

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 action and actions, cause and 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 GC8 – Claims and Disputes made prior to Total Performance of the Work and still unsettled, as listed in the attached "Schedule of Outstanding Claims"

With respect to item 1 "Claims pursuant to GC8", 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.

WITNESSED BY:



(Seal) Lisa Docherty

SIGNED, SEALED AND DELIVERED



Stephen Lengyel

(Seal)

Dated at Scarborough, Ontario this 9th day of December, 2020

SCHEDULE OF OUTSTANDING CLAIMS

Description of Dispute	Value of Dispute
N/A	

STATUTORY DECLARATION OF COMPLETION OF CONTRACT AND PAYMENT OF ACCOUNTS

) IN THE MATTER OF
) THE REGIONAL MUNICIPALITY OF YORK
) CONTRACT NO. T-16-60

TO WIT:

I, Stephen Lengyel of Guild Electric Ltd
(name) (name of company or firm)

DO SOLEMNLY DECLARE:

1. That I am the C.E.O. of Guild Electric Ltd,
(title or position) (name of company)

the Contractor referred to herein, and as such have knowledge of the facts herein declared.

2. That Guild Electric Ltd entered into a contract with
(name of the contractor)

The Regional Municipality of York for the supply of the following services and/or materials:

2019 Transverse Pavement Markings

(description of the work)
for contract number T-16-60 located at various locations in the Regional Municipality of York

(contract location)

3. That the supply of all services and materials required to be furnished under the contract has been completed in an acceptable manner.

4. That the date of last supply of services and/or materials under the contract was 11/30/19.
(date of last supply)

5. No further services or materials will be supplied under the contract.

6. That all assessments and levies under the Employment Standards Act, the Workplace Safety and Insurance Act or other social or labour legislation in respect of said contract have been duly paid, and the work is free of all liens and encumbrances.

7. That all claims for damage to property or injury to persons in respect of said contract, and of which the above named contractor has received notice, have been fully paid or settled.

8. That all accounts for labour, subcontracts, Products, construction machinery and equipment and other indebtedness which may have been incurred by the Contractor in the performance of the work under the contract, and for which the Region might in any way be held responsible, have been duly paid except for statutory and contractual holdback monies properly retained.

And I make this declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the CANADA EVIDENCE ACT.

Declared before me in Scarborough, Ontario this 9th day of December
(City/Town and Province)
in the year 2020.



Signature of Declarant Stephen Lengyel

Lisa Marie Docherty, a Commissioner, etc.,
City of Toronto, for Guild Electric Limited,
Fortran Traffic Systems and Sunup Realty Inc.
Expires November 21, 2020
(A Commissioner for Oaths, Notary Public, etc.)



Lisa Docherty