



Ontario

Ministry of  
Transportation

# CERTIFICATE OF SUBSTANTIAL PERFORMANCE

This is to certify that contract # 2012-19\_\_\_\_\_ for the following:

Ditching YR 7 Item # 11

was substantially performed on: October 21<sup>st</sup> 2020

Recommended by: Shawn Watkinson

Digitally signed by Shawn Watkinson  
DN: cn=Shawn Watkinson, ou=Transportation/PHL  
ou=Operations, email=Shawn.Watkinson@ontario.ca, c=CA  
Date: 2021.01.08 11:13:50 -05'00'

**Contract Administrator Signature**

**Date Signed**

Approved by: Anthony Akomah

Digitally signed by Anthony Akomah  
DN: cn=Anthony Akomah, o=Ministry of Transportation  
Ontario, ou, email=Anthony.Akomah@ontario.ca, c=CA  
Date: 2021.01.08 11:26:19 -05'00'

**Area Contracts Engineer Signature**

**Date Signed**

**Name of Owner:** Her Majesty The Queen in Right of Ontario as represented by the Minister of Transportation.

**Address for Service:** Ministry of Transportation  
301 Bryne Drive, unit 2,  
Barrie, Ontario, L4N-8V4

**Name of Contractor:** Emcon Services Inc.

**Address for service:** 6130 Edwards BLVD  
Mississauga, Ontario L4K 2N4

Office to which claim for lien and affidavit must be given to preserve lien:

**Director, Legal Services Branch  
125 Sir William Hearst Avenue, 1<sup>st</sup> Floor  
Downsview, Ontario  
M3M 1J8**

**This notice published in Daily Commercial News of:** \_\_\_\_\_

- Distribution:
- 1) Contractor
  - 2) Contract Administrator (file)
  - 3) Team Lead, Contract Tendering - Contract Management Office, St. Catharines
  - 4) Regional Operations Office

**APPLICATION FOR SUBSTANTIAL  
PERFORMANCE/CONTRACT COMPLETION**

To: Shawn Watkinson  
Maintenance Superintendent (A), Operations Office

Date: January 6<sup>th</sup>, 2021

Central Region

**Contract No.:** 2012-19 – Simcoe AMC YR 7  
In-Scope Capital Item # 11, Ditching

In accordance with the contract requirements, **Emcon Services Inc.**, hereby apply for:

- Certificate of Substantial Performance
- Certificate of Completion

All work invoiced to date	\$276,231.10
Payments made to date	-\$248,607.99
Less holdback	-\$27,623.11
Less Owner's set-offs	\$ -\$0.00
Amount due	\$0.00

**Emcon Services Inc.**, hereby release the owner of all further claims related to the contract with the following exceptions:

- List outstanding issues in accordance with MTO General Conditions of Contract

\_\_\_\_\_  
N/A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

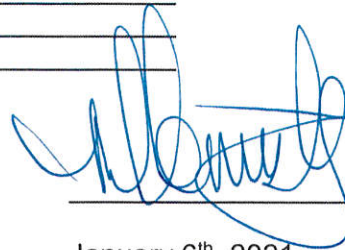
**Emcon Services Inc.**, declare and submit with this Application a Statutory Declaration in the form provided that all liabilities incurred by the Contractor, and the Contractor's Sub-Contractors, in carrying out the contract have been discharged, except for the statutory holdbacks properly retained in accordance with the Construction Lien Act.

- List outstanding liabilities:

\_\_\_\_\_  
N/A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name: Mark Mommersteeg

Signature: \_\_\_\_\_



Position: Contract Manager, Ontario

Date: \_\_\_\_\_

January 6<sup>th</sup>, 2021

STATUTORY DECLARATION

Canada
Province of Ontario

IN THE MATTER OF a contract entered with
Her Majesty the Queen in right of Ontario, represented by the
Minister of Transportation, (Owner) by Emcon Services Inc.,
(Contractor), AMC 2012-19 at MTO Contract Number 2020-2103,
Ditching, YR 7, Item # 11.

I, Mark Mommersteeg,

DO SOLEMNLY DECLARE:

- 1. that I am Contract Manager, Ontario, of Emcon Services Inc, the Contractor named in the above-mentioned Contract, and as such have personal knowledge of the fact herein declared.
2. that all accounts for labour, sub-contracts, products, materials, services and construction machinery and equipment, which have been incurred directly by the Contractor in the performance of the work as required by the Contract, and for which the Owner might in any way be held responsible, have been discharged, except for:
(1) holdback monies properly retained,
(2) payments deferred by agreement between the Contractor and the Owner,
(3) amounts withheld by reason of legitimate dispute which have been identified to the party or parties, from whom payment has been withheld and are listed below and, (identify payees and amounts payable to each)

Blank lines for listing withheld amounts and payees.

- (4) payments that are yet to be made because they are subject to the Contractor's verification processes.

AND I MAKE THIS SOLEMN 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 at the
Town of Oakville
in the Municipality
of Halton this 6th
day of January A.D. 2021

Handwritten signature of Mark Mommersteeg in blue ink.

Mark Mommersteeg

Handwritten signature of a Commissioner etc.
A Commissioner etc.

INSTRUCTION

This declaration must be sworn before a commissioner for oaths, notary public or justice of the peace.

Statutory declaration to be submitted along with application to the appropriate Regional Contracts Office

YEAR 7

Invoice #	EMCON Date	Original Inv. P/D on	Capital Improvements #	In-Scope Work Completed Date	Name AWC 2012 -19, Central Region	Scope of Work Completed - Description	Order value (Inv\$)	Hold Back	Hold Back inc Taxes	Hold Back Applied for Sent to the DCN	HB Notification Published on
S20480A-29063	Sept 3 2020		11 - Ditch Cleanup	July 24 2020	Hwy 93 - Orr Lake Ditching full project	\$ 77,956.38	\$ 7,795.64	\$ 8,809.07			
S20480A-29064	Sept 3 2020		11 - Ditch Cleanup	July 14 2020	Hwy 89 - 7723 to in front of the Home Hardware 262 meters @ \$58.68	\$ 15,374.16	\$ 1,537.42	\$ 1,737.28			
S20480A-29065	Sept 3 2020		11 - Ditch Cleanup	July 14 2020	Hwy 89 - W/8 Rosemont Cemetery to 40 meter past box culvert 52 meters @ \$58.68	\$ 3,051.36	\$ 305.14	\$ 344.80			
S20480A-29066	Sept 3 2020		11 - Ditch Cleanup		Hwy 26 - EB 13715 SR West 280 meters @ \$58.68	\$ 16,430.40	\$ 1,643.04	\$ 1,856.64			
S20480A-29067	Sept 3 2020		11 - Ditch Cleanup		Hwy 26 - EB McNabb Intersection from FR # 4067	\$ 5,281.20	\$ 528.12	\$ 596.78			
S20480A-29068	Sept 3 2020		11 - Ditch Cleanup		Beachwood Rd - Fairgrounds EB to Billwaller Gale (Box Culvert) 480 meters @ \$58.68	\$ 28,992.80	\$ 2,899.28	\$ 3,050.19			
S20480A-29069	Sept 3 2020		11 - Ditch Cleanup		Beachwood Rd - EB @ George Ave West 62 meters @ \$58.68	\$ 3,638.16	\$ 363.82	\$ 411.11			
S20480A-29070	Sept 3 2020		11 - Ditch Cleanup		Hwy 26 - W/8 from 1826 to 1926 120 meters @ \$58.68	\$ 7,041.60	\$ 704.16	\$ 795.70			
S20480A-29110	Sept 15 2020		11 - Ditch Cleanup		Hwy 93 - Preston Lane 62 meters @ \$58.68	\$ 3,638.16	\$ 363.82	\$ 411.11			
S20480A-29111	Sept 15 2020		11 - Ditch Cleanup		Hwy 93 - 7635 185 70 meters @ \$58.68	\$ 9,773.28	\$ 972.33	\$ 1,098.73			
S20480A-29112	Sept 15 2020		11 - Ditch Cleanup		Hwy 93 - Fios Rd 4 South to 4105 Property Line 209 meters @ \$58.68	\$ 12,264.12	\$ 1,226.41	\$ 1,385.85			
S20480A-29189	Sept 22 2020		11 - Ditch Cleanup	Sept 18 2020	Hwy 11 SB @ Big Curve 580 meter @ \$58.68	\$ 34,034.40	\$ 3,403.44	\$ 3,845.89			
S20480A-29190	Sept 22 2020		11 - Ditch Cleanup	Sept 18 2020	Hwy 11 NB @ St Orge 137 meters @ \$58.68	\$ 8,039.16	\$ 803.92	\$ 908.43			
S20480A-29215	Sept 24 2020		11 - Ditch Cleanup	Sept 18 2020	Beachwood Rd in front of the Auto Wreckers 87 meters @ \$58.68	\$ 5,105.18	\$ 510.52	\$ 576.88			
S20480A-29230	Sept 25 2020		11 - Ditch Cleanup	Sept 22 2020	Hwy 26 - W/8 Extra from 1826 - 1926 120 m @ \$58.68	\$ 7,041.60	\$ 704.16	\$ 795.70			
S20480A-29249	Sept 30 2020		11 - Ditch Cleanup	ORR LAKE	Orr Lake extra charges for ditching operations YR 7, closed WC # 80095 moved cost to IS 14, IN#11 Sept 30 2020 as directed for billing from MTO	\$ 29,059.20	\$ 2,905.92	\$ 3,283.69			
S20480A-29328	Oct 12 2020		11 - Ditch Cleanup	Oct 1 2020	Hwy 12 Wye Valley to William Street 54 meters Verified October 1 2020 @ \$58.68	\$ 3,168.72	\$ 316.87	\$ 358.07			
S20480A-29485	Oct 29 2020		11 - Ditch Cleanup		Hwy 93 - Extra meters 7635 @ \$58.68 verified Oct 21 2020. Mailing and seeding completed and verified on Oct 29th 2020	\$ 8,391.24	\$ 839.12	\$ 948.21			
Total							\$ 276,231.10	\$ 27,623.11	\$ 31,214.11		