



September 14, 2023

Via: Email (matt.ratcliff@ratcliffinc.ca)

Ratcliff Excavating & Grading Inc.
13369 Hwy. 48
Stouffville, ON L4A 3B1

Dear Mr. Ratcliff:

**Re: Substantial Performance
Culvert 212 Replacement – Township of King
Project No.: 300054724.0000**

Enclosed please find the Certificate of Substantial Performance for the above noted project, which was substantially completed on September 11, 2023.

After the expiration of 60 days from the date of advertisement of the Certificate of Substantial Performance, the Township of King will reduce the holdbacks to 5% warranty, subject to Ratcliff Excavating & Grading Inc. providing the following:

- Proof of Publication of the Certificate in the Daily Commercial News;
- A Statutory Declaration that all liabilities incurred by the Contractor and the Contractor's Subcontractors in carrying out the Contract have been discharged;
- A Certificate of Clearance from the Workplace Safety and Insurance Board; and
- A signed copy of the Contract Release Form by the Contractor releasing the Township from all further claims relating to the work completed up to September 11, 2023.

We trust that you will find the above to be in order.

Yours truly,

R.J. Burnside & Associates Limited

Mark August
Contract Administrator
MA:ao

Enclosure(s) Contract Release
Form 9 – Certificate of Substantial Performance

Other than by the addressee, copying or distribution of this document, in whole or in part, is not permitted without the express written consent of R.J. Burnside & Associates Limited.

CONTRACT RELEASE

IN THE MATTER of the contract known as Contract No. 2023-T01 entered into between the Township of King (the Owner) AND Ratcliff Excavating & Grading Inc. (the Contractor), dated March 24, 2023 for the construction of the Culvert 212 Replacement located on 15th Sideroad in the Township of King, Ontario.

KNOW ALL MEN BY THESE PRESENTS that I/We

Ratcliff Excavating & Grading Inc.

(name of Contractor, in full)

For and in consideration of other good and valuable consideration paid by the Owner, have remised, released and forever discharged, and by these presents do for myself/ourselves, my/our heirs, executors, administrators and assigns or successors and assigns, as the case may be, remise release and forever discharge the Owner, its successors and assigns, 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 I/We ever had or now have, or which I/We or my/our heirs, executors, administrators or assigns or successors and assigns, as the case may be, hereafter can, shall or may have by reason of the above-mentioned Contract, save and except any claim which I/We have arising out of:

- 1) the retention by the Owner of the Warranty Holdback of the Contract price;
- 2) any sum retained by the Owner against the cost of uncompleted work;
- 3) None

(if none, state "none")

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals

SIGNED, SEALED and DELIVERED

Witness or Company Seal

(Date)

Contractor Signature

(Date)

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

Township of King

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

Culvert 212 is located on 15th Sideroad approximately 0.4km west of 11th Concession.

(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:

Culvert 212 Replacement, Contract No. 2023-T01

(Short description of the improvement)

to the above premises was substantially performed on

September 11, 2023

(date substantially performed)

Date Certificate Signed:

September 14, 2023



(Payment certifier where there is one)

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

Name of Owner:

Township of King

Address for Service:

2585 King Road, King City, Ontario L7B 1A1

Name of Contractor:

Ratcliff Excavating & Grading Inc.

Address for Service:

13369 Hwy. 48, Stouffville, ON L4A 3B1

Name of Payment Certifier
(where applicable)

R.J. Burnside & Associates Limited

Address:

15 Townline, Orangeville, Ontario L9W 3R4

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:

2585 King Road, King City, Ontario L7B 1A1

(if the lien does not attach to the premises, the name and address of the person or body to whom the claim for lien must be given)