

**APPLICATION FOR SUBSTANTIAL
PERFORMANCE/CONTRACT COMPLETION**

To: _____ Date: _____
Manager, Construction Management Operations Office

RegionArea

Contract No.: _____

In accordance with the contract requirements, I/We _____ (Name of Contractor) hereby apply for:

Certificate of Substantial Performance
 Certificate of Completion

All work invoiced to date \$ _____

Payments made to date -\$ _____

Less holdback -\$ _____

Less Owner's set-offs -\$ _____

Amount due = \$ _____

I/We _____ (Name of Contractor) hereby declare that the Certificate of Substantial Performance shall be published in: _____ (Name of the construction trade newspaper). The link for the construction trade newspaper is: _____.

I/We _____ (Name of Contractor) 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

I/We _____ (Name of Contractor) hereby 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:

Name: _____

Signature: _____

Position: _____

Date: _____

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 _____, (Contractor), at

MTO Contract Number: _____

I, _____,

DO SOLEMNLY DECLARE:

1. that I am _____ (Title or Position) _____, of
(Name of Contractor) _____, 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)

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

**3. that all accounts for labour and sub-contracts have been informed of the name of the construction trade
newspaper, as declared.**

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 _____
Of _____
in the _____
of _____ this _____
day of _____ A.D. 20_____

(Deponent)

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** **MTO**
Construction Management Office