



### APPLICATION FOR SUBSTANTIAL PERFORMANCE/CONTRACT COMPLETION

To: \_\_\_\_\_ Date: \_\_\_\_\_  
Manager, Construction Management Operations Office

\_\_\_\_\_  
Region/Area

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 (Name of Contractor), (Contractor), at

MTO Contract Number: \_\_\_\_\_

I, (Name),

**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