



Engineering & Construction Services

**Metro Hall**  
55 John Street, 7<sup>th</sup> Floor  
Toronto, Ontario M5V 3C6

**Simon Hopton, P. Eng.**  
Director, Design & Construction,  
Major Infrastructure

**Refer to:** Tatiana Chiesa  
**Tel:** 416-338-5490  
**Email:** Tatiana.Chiesa@toronto.ca

*May 25, 2021*

Mark Meyer  
Vice President  
379 Bowes Rd, Concord, ON L4K 2J1

Dear Mr. Meyer

**Re: 20ECS-MI-01SA Miscellaneous Catchbasin Works in the Scott Street Pumping  
Station Service Area  
Certificate of Substantial Performance and  
Substantial Performance Statutory Holdback Release Payment Certificate**

We are writing in response to your *May 4, 2021* application for Certification of Substantial Performance for the above-noted contract. Please find attached our Certificate of Substantial Performance. As required by the Section 32(1) Paragraph 5 of the Construction Act, you are now required to publish a copy of the certificate in the manner set out in the regulations.

As per clause GC 5.6.1 of the City of Toronto's General Conditions, you are required to submit a Proper Invoice for the Lien Holdback at the conclusion of the 60 days following publication of the Certificate of Substantial Performance. In accordance with GC 5.6.3, payment of the Lien Holdback shall be made no later than fifteen (15) working days after our receipt of the Proper Invoice for the Lien Holdback, subject to the provisions of the Construction Act and the Agreement, including GC 5.6.4.

Should you have any questions regarding this matter, please contact me directly at 416-338-5490.

Yours truly,

*Tatiana Chiesa*  
Engineer, DR&CW  
Major Infrastructure, Engineering and Construction Services

Attachments: Certificate of Substantial Performance of the Contract under Section 32 of the Act, Form 9

Copy to: Contract File

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

*Construction Act*

**City of Toronto**

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

**Yonge St & Harbour St, Lake Shore Blvd E & Richardson St, Lower Sherbourne & Scadding Ave, Lower Sherbourne & The Esplanade, Lake Shore Blvd E & Bonnycastle St, Princess St & Scadding Ave**

(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:

**Miscellaneous Catchbasin Works in the Scott Street Pumping Station Service Area**

(short description of the improvement)

to the above premises was substantially performed on **May 4, 2021**

(date substantially performed)

Date certificate signed: **May 25, 2021**

(payment certifier where there is one)

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

Name of owner: **City of Toronto**

**Attn: Simon Hopton, P.Eng.  
Director, Major Infrastructure  
City of Toronto  
City Clerk's Office  
City Hall - 13W**

Address for service: **100 Queen St West, Toronto, ON M5H 2N2**

Name of contractor: **Clearway Construction Inc.**

Address for service: **379 Bowes Road, Concord, ON L4K 2J1**

Name of payment certifier (where applicable): **Tatiana Chiesa**

Address: **Metro Hall, 7<sup>th</sup> Floor, 55 John St, Toronto, ON M5V 3C6**

(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:

**Claims for Lien are to be submitted to the Clerk of the City of Toronto electronically as directed at  
[www.toronto.ca/liens](http://www.toronto.ca/liens).**

(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)

## Porto, John

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**From:** Ryan Kumar <ryankumar@clearwaygroup.com>  
**Sent:** Tuesday, May 4, 2021 10:03 PM  
**To:** Porto, John  
**Cc:** Kalra, Jitin; Tatiana Chiesa; Dan Brkic; Ramsoomair, Saffa; Jarjis, Maz  
**Subject:** 20ECS-MI-01SA-CB- Substantial Performance

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**Categories:** CB's

Hi John,

Clearway Construction inc is requesting substantial performance for contract # 20ECS-MI-01SA on May 4, 2021.

Regards,

Ryan

Sent from my iPhone