

# TRANSMITTAL

**To:** Penalta Group Ltd.  
504 Iroquois Shore Road Unit 12B  
Oakville, Ontario  
L6H 3K5  
**Attn: Michele Belanger, Project Manager**  
**Attn: Briana Benoit, Project Coordinator**

**Project:** Walmart #1130 Fergus  
Refresh Project  
801 St. David Street N.  
Fergus, ON

**Project No.:** 20-057

**Date:** September 30, 2021

**We Transmit:** By Email

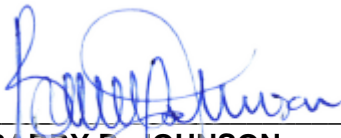
**For Your:** Review

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With this transmittal, please find:

1 Certificate of Substantial Performance

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**BARRY R. JOHNSON** *owner*  
*B.E.S., B.A.R.C.H., M.R.A.I.C., LEED® AP*

cc: Wal-mart Canada Corp.

KWA

DEI & Associates Inc.

Attn: Mr. Terence Pais  
Attn: Mr. Alex Mendoza  
Attn: Mr. Alex Karadjov  
Attn: Mr. Brendan Hickey  
Attn: Mr. Andrew Henderson  
Attn: Mr. Clyde Burgess  
Attn: Mr. Jason Legacy  
Attn: Mr. Dave Pelger

**BARRY R. JOHNSON**

*B.E.S., B.A.R.C.H., M.R.A.I.C., LEED® AP*  
*A.A.A., A.I.B.C., A.A.N.B., M.A.A., N.L.A.A., N.S.A.A., O.A.A., S.A.A.*

*general.office@bjcarchitects.com*



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

*Construction Act*

**TOWNSHIP OF CENTRE WELLINGTON**

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

**801 ST. DAVID STREET, N FERGUS, ONTARIO**

(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:

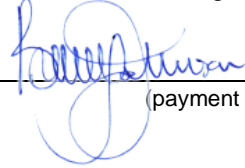
**WALMART #1130 FERGUS, REFRESH PROGRAM**

(short description of the improvement)

to the above premises was substantially performed on **SEPTEMBER 14, 2021**

(date substantially performed)

Date certificate signed: **SEPTEMBER 30, 2021**



(payment certifier where there is one)

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

Name of owner: **WAL-MART CANADA CORP**

Address for service: **1940 ARGENTIA ROAD, MISSISSAUGA, ONTARIO L5N 1P9**

Name of contractor: **PENALTA GROUP LTD**

Address for service: **504 IROQUOIS SHORE ROAD, UNIT 12B, OAKVILLE, ON. L6H 3K5**

Name of payment certifier (where applicable): **BJC architects inc.**

Address: **8016 HIGHWAY #7, GUELPH, ONTARIO N1H 6H8**

(Use A or B, whichever is appropriate)

☐ A. Identification of premises for preservation of liens:

**801 ST. DAVID STREET, N, FERGUS, COUNTY OF WELLINGTON**

(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:

(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)



Delivery Via Email to: [ryan.wierenga@bjcarchitects.com](mailto:ryan.wierenga@bjcarchitects.com)

September 14, 2021

BJC architects inc.  
8016 Highway #7  
Guelph, Ontario, N1H 6H8

Attention: Ryan Wierenga

**Re: Walmart 1130 Fergus  
Application for Substantial Completion**

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Please accept this letter as Penalta's application for substantial completion for the **Walmart 1130 Fergus** project.

The 3-2-1 calculation is as follows:

(a)	Original Contract Value	\$	805,742.00
(b)	Approved Change Order	\$	104,726.75
(c)	Revised Contract Value	\$	910,468.75
(d)	Billed to date (As of Draw#6):	\$	905,940.04
(e)	Remaining to bill:	\$	4,528.71
(f)	3% of the first \$1,000,000:	\$	27,314.06
(g)	2% of the second \$1,000,000:		n/a
(h)	1% of the remaining value:		n/a
(i)	Total:	\$	27,314.06

The value remaining to bill (e) is less than the maximum allowable value of remaining work to be completed (i).

This is confirmation that Penalta Group Ltd. has achieved substantial completion, based on the 3-2-1 calculation.

Regards,

A handwritten signature in blue ink, appearing to read "M. Belanger", with a long horizontal flourish extending to the right.

Michele Belanger  
Project Manager  
Penalta Group Ltd.