

**DATE: SEPTEMBER 1, 2021**

**PROJECT NO: 0978-3922**

**SENT VIA: EMAIL**  
(mmatta@condrain.com)

Con-Drain Company (1983) Limited  
30 Floral Parkway  
Concord, Ontario  
L4K 4R1

**Attention: Mr. Matta**

**RE: CERTIFICATE OF SUBSTANTIAL PERFORMANCE  
WEST GWILLIMBURY POWER CENTER – EARTHWORKS & CIVIL SERVICING  
WEST GWILLIMBURY POWER CENTER INC  
TOWN OF BRADFORD WEST GWILLIMBURY**

Please find attached the Certificate of Substantial Performance for the above-noted project. As outlined in the contract documents, the Contractor shall publish a copy of the Certificate in a local Construction Trade Newspaper, and it must include:

- i) The name and address for service of the OWNER and of the CONTRACTOR;
- ii) The name and address of the payment certifier, where there is one;
- iii) A short description of the improvement;
- iv) The date on which the Contract was substantially performed;
- v) Where the lien attaches to the premises a concise description containing a reference to lot and plan or instrument registration number sufficient to identify the premises; and, or, where the lien does not attach to the premises, a statement of where the lien notice must be delivered to preserve lien rights; and
- vi) The street address, if any, of the premises.

Within fifteen (15) days of the date of advertisement of the Certificate of Substantial Performance the Contractor is to submit proof of publication of the Certificate. A copy of the publication is to be included, with all other pertinent documents, in the release of holdback request to the Contract Administrator. Please see TABLE 'A' enclosed which indicates the outstanding deficiencies and remaining works.

The Substantial Performance Statutory Holdback Release Payment Certificate shall be a payment certificate releasing to the Contractor the statutory holdback due in respect of Work performed up to the date of Substantial Performance. Payment of such statutory holdback shall be due 46 Days after the date of publication of the Certificate of Substantial Performance but subject to the provisions of the Construction Lien Act and the submission by the Contractor of the following documents:

- a) A release by the Contractor in a form satisfactory to the Contract Administrator releasing the Owner from all further claims relating to the Contract, qualified by stated exceptions such as outstanding work or matters arising out of subsection GC 3.13, Claims, Negotiations, Mediation;
- b) ConDrain will provide West Gwillimbury Power Center Inc (WGPCI) a 2% maintenance surety bond in a form satisfactory to WGPCI for a minimum duration of two years from date of substantial performance. The surety bond can be drawn upon by WGPCI for any maintenance/warranty work not undertaken by ConDrain;

- c) A statutory declaration in a form satisfactory to the Contract Administrator that all liabilities incurred by the Contractor and the Contractor's Subcontractors in carrying out the Contract have been discharged except for statutory holdbacks properly retained;
- d) A satisfactory Certificate of Clearance from the Workplace Safety and Insurance Board; and
- e) Proof of publication of the Certificate of Substantial Performance.

As per the agreement between West Gwillimbury Power Center Ins and your firm, the twenty-four (24) month Guaranteed Warranty Period has commenced and will end on August 26, 2023

Should you have any questions or require any further information, please do not hesitate to contact the undersigned. Thank you.

Yours truly,

**C.F. CROZIER & ASSOCIATES INC.**



Jason Larter, Associate  
Construction Services

JL/mk

Enclosure:

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**West Gwillimbury Power Center**

Project No. 978-3922

**Certificate of Substantial Performance - Table 'A' - Deficiency List and Remaining Works**

**Date:** 01-Sep-21

<b>No.</b>	<b>Deficiency/Outstanding Item</b>	<b>Location</b>	<b>BWG Comments</b>
1	Washout at outfall and culvert is plugged	south side of north entrance to Stirling	outfall is washing away and requires immediate attention. Riprap material is required to prevent further washout's. Culvert to be cleaned out.
2	Clean up Boulevards	both entrance's, north & south side of Stirling	Remove debris, re-grade, topsoil & hydroseed
3	Backfill behind curbs	both entrance's, north & south side of Stirling	material to be place behind temp asphalt curbs
4	Street Name Signs	both entrance's of Stirling	permeant signs required
5	Temporary asphalt sidewalk	both entrance's of Stirling	required at both entrances
6	Dirt pile	within Block 1 along fencing	purpose of pile? Can be removed?
7	Water seepage	Block 1 berm along Cty Rd 88 and along Bell easement	bull rushes growing in areas that require attention
8	Bell easement		requires attention
9	Piece of PVC pipe sticking out of ground	Block 3	remove
10	Asphalt scaring	north and south legs of Stirling east of SRS	
12	South entrance culvert		confirmation of correct installation required
13	Debris/ ESC measures	Between Block 10 & 11	remove offsite
14	Demonstrate proof of hydro seeding	all blocks	
15	Post & wire fence	east side of site along chain-link fence	is this to be removed?
16	Grading	drainage easement between block 5 to 9	grading required, erosion around Headwall 113
17	Block 10 grading	frontage of property & around temporary hickenbottom	re-grade. Frontage is not to grade.
18	Asphalt scarring	in front of block 13	
19	Construction debris		remove all construction debris offsite
20	Grading & hydroseeding	frontage of block 13 & 14	
21	Ruts in boulevard	east side of block 9	
22	Cold patch around water valves	all valves within roadway	hot mix required
23	Asphalt scarring	Sideroad 5 south of south entrance	
24	Tree maintenance	all trees	
25	Relocate propane marker	south east corner of Stirling	
26	Replace sidewalk bay	south east corner of Stirling Infront of channel	
27	Ditch grading & cleaning	along sideroad 5 south of south entrance	
28	Sidewalk	Infront of block 16	bays have settled
29	Chain link fence	east side of block 1	hole in fence
30	Channel Certification & as-builts		required from Crozier
31	Access road certification	around pond & to Line 6 - Test Pits Required	required from Crozier/Terraprobe
32	Fence post installed through geoweb	at south east corner of pond	confirmation of proper installation required
33	Pond banks stabilization		hydroseed required
34	MH identification sign	all MH within channel	require identification sign
35	Hazard sign	STM MH 104	install hazard sign on east side of MH
36	Washout	east of block 14, along fence line	grading required
37	Hydroseeding	along channel behind blocks 13 & 14	
38	Cable mat	NE of block 11, SE of block 10	requires attention
39	Storm Channel	east of block 1, 10, 11	hydroseed required
40	Construction barrel in pond		to be removed
41	Access road around pond		requires clean-up and regrading
42	STM MH 101		to be backfilled around properly
43	Headwall 100	northeast corner of pond	grading required, install grates, parging required
44	Headwall 98	northwest corner of pond	railing required
45	Headwall 96	southeast end of pond	parging required
46	Channel/access road transitions	northeast end of pond where channel meets the pond and south side at overflow	the transitions in the field do not appear to be able to accommodate vehicle crossings them
47	Overflow	southeast end of pond	stabilization required
48	Grading	south of overflow	grading/stone required
49	SAN MH 107A	south of pond	ponding occurring at MH, grading required

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

*Construction Act*

**Town of Bradford West Gwillimbury, County of Simcoe**

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

**Part of Lot 6, Concession 6, Town of Bradford West Gwillimbury**

**Near Intersection of County Road 88 and 5<sup>th</sup> Sideroad**

(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:

Earthworks, Road Construction, Civil Servicing and Storm Water Management Pond Construction

(short description of the improvement)

To the above premises was substantially performed on: August 26, 2021

(date substantially performed)

Date certificate signed: September 1, 2021



(payment certifier where there is one)

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

Name of Owner: West Gwillimbury Power Center Inc

Address for Service: Suite 1001, 2 Bloor Street, West, Toronto, Ontario M4W 3E2

Name of Contractor: Con-Drain Company (1983) Limited

Address for services: 30 Floral Parkway, Concord, Ontario L4K 4R1

Name of payment certifier (where applicable): C.F. Crozier & Associates Inc,

Address: 51 John Street PO Box 101, Bradford, ON L3Z 2B4

(Use A or B, whichever is appropriate)

☐ A. Identification of premises for preservation of liens:

Part of Lot 6, Concession 6, Town of Bradford West Gwillimbury, County of Simcoe PIN 58004-003 (LT)

(if a lien attaches to the premises, a legal description of the premises,  
including all property identifier number and addresses for premises)

☐ B. Office to which the claim for lien must be given to preserve lien:

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