

**Date:** October 12, 2021

**Contractor:** **EllisDon**  
2680 Queensview Drive,  
Ottawa, ON K2B 8J9

**From:** Robert Eland  
**Architecture49 Inc.**  
201-1300 Yonge St.  
Toronto, ON M4T 1X3  
Tel: 519.830.3524

**Client:** **BGIS**  
300 Sparks St. Suite 400  
Ottawa, Ontario  
K1R 7S3

**architecture49.com**

**Tenant:** National Capital Commission  
1 Haanel Dr Building 9A (CanMet  
Campus), Nepean, ON. K1A 1M1

**Project/File:** 199-00219-00

**Project:** CERB Canmet GOC 2083707

**Location:** 1 Haanel Dr Building 9A (CanMet  
Campus), Nepean, ON, K1A 1M1

**Copies to:**

Catherine Humphrey  
Hussein Abudayah  
Lauren Coburn  
Kyle Wilson  
Curtis Stone  
Craig Melvin  
Ian Fuller  
Ricardo Lahaye  
Maryna Bilousova

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*Please find attached Form 9 certifying Substantial Performance of the work in accordance with the Construction Lien Act. Please be aware that the date of Substantial Performance is a significant date (milestone) in a project. Not only does it serve to notify the Contractor to publish the certification to commence the 45 day lien period, it is the date you (the owner) assume responsibilities for the project. These would be, but not limited to, maintenance, utility costs, insurance, and legal liabilities.*

*Upon receipt of the Contractor's invoice for release of statutory holdback, we will issue a certificate of payment which will be due and payable on the day following the expiry date of the 45 day lien period and confirmation from your lawyer that no liens have been registered against the land.*

**Calculation as per latest Certificate for Payment (COP No. 12)**

Contract Value to Date (excl. HST):	\$	0.00
Estimated Value of Work (excl. HST):	\$	2,655,906.90
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Amount of Work Not Completed (excl. HST):	\$	22,305.55

**Note as per Construction Act, Chapter 2 (1)(a)**

The improvement is being used for the purposes intended.

**Calculation as per Construction Act, Chapter 2 (1)(b)**

(i) 3% of first \$ 1,000,000.00 of the contract price:	\$	30,000.00
(ii) 2% of next \$ 1,000,000.00 of the contract price:	\$	20,000.00
(iii) 1% of balance of the contract price:	\$	6,559.00
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Total:	\$	56,559.00

**Note:**

The value of work remaining under the contract is below the value prescribed by the Act and the improvement is being used for the purposes intended.

**Issued by the Consultant**

Robert Eland  
Name and title of person signing

  
Signature

2021-10-12  
Date

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

*Construction Act*

Canada, Ontario, Ottawa, Nepean,  
(County/District/Regional Municipality/Town/City in which premises are situated)

1 Haanel Dr Building 9A K1A 1M1 (CanMet Campus)  
(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:

The building shell is a pre-engineered structure with commercial insulated metal roof and wall panel systems.  
(short description of the improvement)

to the above premises was substantially performed on September 28, 2021  
(date substantially performed)

Date certificate signed: October 12, 2021

ARCHITECTURE 49

(payment certifier where there is one)

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

Name of owner: National Capital Commission

Address for service: 1 Haanel Dr Building 9A (CanMet Campus), Nepean, ON. K1A 1M1

Name of contractor: EllisDon Corporation

Address for service: 2680 Queensview Drive, Ottawa, Ontario K2B 8J9

Name of payment certifier (where applicable): Architecture49 Inc.

Address: 150 Isabella St., Suite 1000, Ottawa, ON K1S 1V7

(Use A or B, whichever is appropriate)

A. Identification of premises for preservation of liens:

CANMetENERGY Envelope Research Building 1 Haanel Dr, Nepean, ON K1A 1M1

(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, the name and address of the person or body to whom the claim for lien must be given)

September 28, 2021

BGIS  
300 Sparks St. Suite 400  
Ottawa, Ontario  
K1R 7S3  
Tel: (613) 806-3020

**Attention: Lauren Coburn**

**RE: CERB Canmet GOC 2083707**

Please accept this letter as our formal request for certification of Substantial Performance for the above noted project as of Sept 28, 2021.

Information related to this claim is noted below. Please read in conjunction with our billing breakdown. All numbers are based on the billing amount for September 30, 2021.

Original Contract	\$0 + HST
Current Contract Price	\$2,655,906.90 +HST
Gross amount certified to date	\$2,633,601.35 +HST
Balance to complete	\$22,305.55

Substantial Performance:

3% of 1 <sup>st</sup> \$1,000,000	\$30,000
2% of the next \$1,000,000	\$20,000
1% of the balance of the contract price	\$6,559

Total balance to complete must be less than \$56,559. Therefore we have met the requirements for substantial performance as per the Lien Act.

Should you require further information regarding this request, please do not hesitate to contact the undersigned

Thank you,

*Maryna Bilousova, Project Manager*