

MARTINSIMMONS
ARCHITECTS

February 2, 2022

**Waterloo Region District School Board
51 Ardelt Avenue
Kitchener, Ontario
N2C 2R5**

Attention:
Oliver Wandelt,

Re:
**KCI Window Replacement & Interior Upgrades
787 King Street W, Kitchener, Ontario N2G 1E3**

Our Project No.:
20032

Dear Mr. Wandelt,

At the request of the Contractor, this office has completed a review of the above noted Project and as of **January 28, 2022** find the Work to be "Substantially Performed" in accordance with "Chapter 6, Paragraph 2 of the Construction Lien Act, 1990". The lien period will commence when the Contractors Publication of "Form 9, Certificate of Substantial Performance of the Contract under Section 32 of the Act" appears in the provincial trade newspapers. We will confirm the date of publication once the "Certificate of Publication" is received from the Contractor.

As requested, we have evaluated and determined that Substantial Performance has been attained to the requirements as described in sentence (2) of Chapter 6, Paragraph 2 of the Construction Lien Act, 1990, which states "For the purposes of the Act, where the improvement or a substantial part thereof is ready for use or is being used for the purposes intended and the remainder of the improvement cannot be completed expeditiously for reasons beyond the control of the contractor or, where the Owner and the Contractor agree not to complete the improvements expeditiously, the price of the services or materials remaining to be supplied and required to complete the improvements shall be deducted from the contract price in determining substantial performance."

Once we have completed our evaluation and deficiency reports and upon receipt of the copy of the publication to the provincial trade newspaper, we will issue a Certificate of Payment for the work completed and a Holdback Release Certificate releasing the holdback monies.

We trust the above to be submitted in accordance with the requirements of your office. Should you have any questions or require additional information or clarification, please do not hesitate to contact our office.

With kind regards,

MARTINSIMMONS ARCHITECTS INC.



Jesse French, Associate, C. Tech.
jfrench@martinsimmons.ca

MARTINSIMMONS.CA

200-113 Breithaupt Street, Kitchener ON N2H 5G9
P 519.745.4754 F 519.745.0061

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

City of Waterloo

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

787 King Street West - Kitchener, ON - N2G 1E3

(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:

Window Replacement & Interior Upgrades

(short description of the improvement)

to the above premises was substantially performed on January 28, 2022

(date substantially performed)

Date certificate signed: January 28, 2022

MartinSimmons Architects Inc.

(payment certifier where there is one)

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

Name of owner: Waterloo Region District School Board

Address for service: 787 King Street West - Kitchener, ON - N2G 1E3

Name of contractor: Ritestart Limited

Address for service: 845 Harrington Court, Unit 11 - Burlington, ON - L7N 3P3

Name of payment certifier (where applicable): MartinSimmons Architects Inc.

Address: 113 Breithaupt Street, Suite 200, Kitchener, ON

(Use A or B, whichever is appropriate)



A. Identification of premises for preservation of liens:

787 King Street West - Kitchener, ON - N2G 1E3

(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)