

March 28, 2022

To: Bill Grabham, Owner  
Northwin Deck and Construction

RE: Project Name – Project Services  
**Substantial Performance Review**

Northwin Deck and Construction (the Trade Contractor), noted in writing that the work at 1569 Simcoe Street N performance under contract CON-021 is Substantially Performed.

Podium Developments (the Construction Manager) on behalf of the 1569 Simcoe Street N Ltd (the Owner), conducted a site review on 2022-03-21 in order to reach agreement on the following:

- Scope of work outstanding;
- Deficient work;
- Value of the outstanding work; and
- That the Owner has completed possession of the work.

A list of the scope of work outstanding and a list of deficient work is summarized below, along with the corresponding values of the work.

Item #	Description of Work	Location	Est. Date Completion	Value
1	Install Block Wall Between L-H	L-H	July 2022	\$12,000.00
2	Install Block Wall South of D	D	May 2022	\$7,421.03
	TOTAL			\$19,421.03

Accordingly, the value of work completed meets the threshold for Substantial Performance as outlined in the table below.

Total Contract Value	\$ 680,955.90
Total Value of Work Performed To Date	\$ 661,534.87
Value of Outstanding Work	\$ 19,421.03
Substantial Performance Threshold (3% 1 <sup>st</sup> Mil, 2% 2 <sup>nd</sup> Mil, 1% Balance)	\$ 20,428.67

Please find attached a Form 9, Certificate of Substantial Performance. Please publish this certificate in the trade journal and provide proof of publishing along with your application for payment for the release of holdback. For clarify, the following must be provided for us to process your holdback release payment application:

- Application for payment (invoice and schedule of values)
- Proof of publication in trade journal of Substantial Performance
- Statutory Declaration
- WSIB Clearance Certificate.

Regards,



Hani Agha  
Project Manager  
Podium Development Corp.



James Wilkinson, P.Eng.  
VP of Construction  
Podium Development Corp.

DISTRIBUTION

DM [person1@email.com](mailto:person1@email.com)

Enclosures:

Form 9

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

*Construction Act*

**City of Oshawa, Ontario**

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

**1569 Simcoe Street N**

(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:

**Supply and Install Block Retaining wall**

(short description of the improvement)

to the above premises was substantially performed on **March 21<sup>st</sup> 2022**

(date substantially performed)

Date certificate signed: **March 28 2022**

(payment certifier where there is one)

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

Name of owner: **1569 Simcoe Street N Ltd**

Address for service: **1569 Simcoe Street N**

Name of contractor: **Northwin Deck and Construction**

Address for service: **1569 Simcoe Street N**

Name of payment certifier (where applicable): **Podium Developments**

Address: **101 - 3 Bridgman Ave, Toronto, ON M5R3V4**

(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:

(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)