

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

Construction Act

CAMBRIDGE

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

150 HOLIDAY INN DRIVE, CAMBRIDGE ON N3C 0A1

(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:

RENOVATIONS & ADDITION TO BLDG A INCLUDING TREASURE HUNT
(short description of the improvement)

FIT-UP

to the above premises was substantially performed on MAR 29 2022

(date substantially performed)

Date certificate signed: MAY 3 2022

STERLING WHITE - PLAZA

(payment certifier where there is one)

OWNER

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

Name of owner: PLAZA HOLIDAY INN DRIVE (CAMBRIDGE) INVESTMENT INC

Address for service: 98 MAIN STREET, FREDERICTON NB E3A 9N6

Name of contractor: BACILY CONSTRUCTION

Address for service: 27 HIXON RD ISLTON ON L7E 1J7

Name of payment certifier (where applicable): STERLING WHITE

Address: 98 MAIN ST FREDERICTON NB E3A 9N7

(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:

Maurice M. Pellier, Harrison Pensa LLP, 450 Talbot St. London,

(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)

Ontario N6A 5J6

tel) 519-661-6748



Application for Substantial Performance of the Contract

Date: Mar. 29, 2022

Owner: Plaza Holiday Inn Drive (Cambridge) Investment Inc.

Project: Tri City Plaza - Redevelopment, Additions, Renovations & Treasure Hunt Interior

Project # 20-099

Original Contract Amount \$ 2,426,530.00

Contract Revisions up to CO # \$ 370,360.03

Revised Contract Amount as at \$ 2,796,890.03

**Progress Billing # or Certificate of
Payment # amount as at \$ 2,707,883.57**

Subtotal Balance to Complete	\$ 89,006.46
Less: COR #22R2 - Additional Asphalt	\$ (40,561.50)
	\$ -
Total Balance to Complete	\$ 48,444.96

Substantial Performance Criteria:

1. The project, or a substantial part of it, is ready for its intended use, or already being used that way

YES

2. The Balance to Complete the project cannot exceed the following amount.

Revised Contract Value (less unexpended CAs) \$ 2,796,890.03

Monies Criteria

3% of first \$1,000,000 \$ 30,000.00

2% of second \$1,000,000 \$ 20,000.00

1% of balance \$ 7,968.90

Total Monies Criteria \$ 57,968.90

Total Balance to Complete does not exceed the monies criteria

NO

Therefore, the Project meets the criteria for Substantial Performance

YES