



July 28, 2022

Mr. Matt Morrison
Zettel-Fischer Contracting Ltd.
87 Brant Sideroad 15
Walkerton, Ontario N0G 2V0
Email: matt@zettel-fischer.com

Dear Mr. Morrison:

RE: HANOVER THEATRE AND COMMUNITY HALL RENOVATIONS
433 10TH AVENUE, HANOVER, ONTARIO
LETTER OF SUBSTANTIAL PERFORMANCE
- GENERAL CONTRACTOR: ZETTEL-FISCHER CONTRACTING LTD.

This is to advise you that the building contract for the above-mentioned project has been accepted as substantially performed as of July 28, 2022 (per enclosed Certificate of Substantial Performance).

In accordance with the project specifications, the balance of the holdback will be released after the expiration of the 60-day lien period. Pursuant to the requirements of the Construction Act it is necessary that the Contractor shall publish the certificate in a construction trade newspaper. The date of publication commences the lien period.

The acceptance of this work does not relieve the General Contractor and his subcontractors of their responsibility to carry out any and all deficiencies in materials and workmanship that might come to light during the warranty/guarantee period which will run for one year from the date of Substantial Performance: from July 28, 2022 to July 28, 2023.



+VG ARCHITECTS

Mr. Matt Morrison
Zettel-Fischer Contracting Ltd.

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July 28, 2022

RE: HANOVER THEATRE AND COMMUNITY HALL RENOVATIONS
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The holdback will not be released until the following required documents have been received:

- i. Workplace Safety and Insurance Board Certificate of Clearance from the General Contractor;
- ii. Statutory Declaration that no liens are on the building from the General Contractor;
- iii. Copy of advertisement of Substantial Performance Certificate, as published in a construction trade newspaper, to the Architect and the Owner.

If there are any further questions, please do not hesitate to contact our office.

Sincerely,

+VG ARCHITECTS

Kevin Church

cc: Christine Walker, Don Tedford – Town of Hanover
(cwalker@hanover.ca; dtedford@hanover.ca)
A. Miller, T. Morelli – Jain Consultant
M. Lin – Structures+VG (mlin@plusvg.com)
(amiller@jainconsultants.com, tmorelli@jainconsultants.com)
M. Syed, D. Westman - +VG Architects
(msyed@plusvg.com; dwestman@plusvg.com)

Attachment

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K:\TVG-Brantford\Hanover Theatre Renos-22042\Contract Admin\Subst Compl\2022.07.28 Ltr of Sub Perf.docx

50 Dalhousie Street, Brantford, Ontario N3T 2H8 | T: 519.754.1652 | F: 519.754.0830

72 Stafford Street, Suite 200, Toronto, Ontario M6J 2R8 | T: 416.588.6370 | F: 416.588.6327
1340 Wellington Street West, Ottawa, Ontario K1Y 3B7 | T: 613.680.5557

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

Town of Hanover

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

433 10th Avenue, Hanover, Ontario N4N 2N9

(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:

Hanover Theatre & Community Hall Renovations

(short description of the improvement)

to the above premises was substantially performed on **July 22, 2022**

(date substantially performed)

Date certificate signed: **July 28, 2022**



(payment certifier where there is one)

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

Name of owner: **Town of Hanover**

Address for service: **341 10th Street, Hanover, Ontario N4N 1P5**

Name of contractor: **Zettel-Fischer Contracting Ltd.**

Address for service: **87 Brant Sideroad 15, Walkerton, Ontario N0G 2V0**

Name of payment certifier (where applicable): **The Ventin Group Ltd.,
Architects (+VG Architects)**

Address: **50 Dalhousie Street, Brantford, Ontario N3T 2H8**

(Use A or B, whichever is appropriate)

☒ A. Identification of premises for preservation of liens:

433 10th Avenue, Hanover, Ontario N4N 2N9

(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)



APPLICATION FOR SUBSTANTIAL PERFORMANCE

Date: July 28, 2022

Project Name: Hanover Theatre Renovations, Hanover, ON

+VG Project No.: 22042

Contractor: ZETTEL FISCHER CONTRACTING LTD

CONTRACT		
1	Present Contract Amount (Includes all Change Orders)	\$2,782,241.00
2	Less Total Work Performed to Date: (As per Certificate of Payment# 11 Dated 22 July 2022)	\$2,392,117.39
3 (1-2)	Balance Left to complete (As per Certificate of Payment# 11 Dated 22 July 2022)	\$390,123.61
4	Less Unused Allowances: CACO#040 dated 27 June 2022 \$61,832.71 CAE# 005 dated 20 December 2021 \$125,055.15 One Year Warranty \$20,000.00 Theatre Equipment (SHERWOOD) \$156,961.00 (Remaining sound booth equipment and Curtain due to Manufacturer/ Suppliers delay)	\$363,848.86
5 (3-4)	Remaining Value to be Completed	\$26,274.75

CONSTRUCTION LIEN ACT		
6	3% of first \$1,000,000	\$30,000.00
7	Plus 2% of next \$1,000,000	\$20,000.00
8	Plus 1% of remaining Contract (Present Contract minus \$1,000,000 = \$782,241.00)	\$7,822.41
9 (6+7+8)	Substantial Performance Threshold	\$57,822.41

Therefore, Construction Act criteria have been met for Substantial Performance because the "Remaining Value to be Completed" is Less than the "Substantial Performance Threshold".

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