

November 18, 2022

Sean Cockrem, P. Eng., Project Manager
Arnason Industries Ltd.
904E HWY 101 NSR Route RTE 122
Winnipeg MB, R3C 2E6

Dear Sean:

**Re: SUBSTANTIAL PERFORMANCE
WUNNUMIN LAKE FIRST NATION NEW LANDFILL & TRANSFER STATION CONSTRUCTION AND
EXISTING LANDFILL CLOSURE WORKS PROJECT
WUNNUMIN LAKE, ONTARIO**

Keewatin-Aski Ltd. (KAL) has received e-mail correspondence from Sean Cockrem, P. Eng., on behalf of Arnason Industries' Ltd., and dated November 10th, 2022 requesting a Substantial Performance review for the constructed Works as specified in the Contract for the Wunnumin Lake First Nation New Landfill & Transfer Station Construction and Existing Landfill Closure Works Project as completed on November 3rd, 2022. KAL has since undertaken a subsequent on-site Substantial Performance inspection on November 10th, 2022 and has determined the following:

1. The Works are capable of being used for the purpose intended;
2. The estimated Final Contract Value is for the Project is \$6,476,498.31 as indicated on Payment Certificate 5;
3. The estimated cost of all incomplete/deficient work, including all seasonal deficiencies, is \$48,000.00, calculated as follows:

Item	Deficiency Description	Value
1	Landfill Attendant Kiosk	\$34,000.00
2	Mobile Loading Ramp	\$10,000.00
3	Portable Toilet	\$3,000.00
4	Complete installation of overhead door at the Recycling Storage Facility	\$1,000.00
Total Value of Deficiencies at November 3, 2022		\$48,000.00

The value of the incomplete/deficient work is less than the maximum allowable value allowed for issuance of Substantial Performance, \$94,765, as specified by formula under the Contract based on the original contract value of \$6,476,498.

Considering the above, KAL has determined the Work completed to November 3rd, 2022, and as detailed in Payment Certificate No. 5, to be substantially performed in accordance with the requirements of the Contract and therefore the date of Substantial Performance has been set as November 3rd, 2022.

Attached is a copy of the Certificate of Substantial Performance for the Work performed to November 3rd, 2022.

We understand that the incomplete/deficient Works at the Place of the Work will continue after November 10th, 2022 and be completed prior to November 30th, 2022. Further, the remaining items yet to be delivered to site will be delivered on the upcoming winter road season and put in place no later than March 31, 2023.

Please provide a copy of the Certificate of Publication for the Certificate of Substantial Performance in a construction trade newspaper. The date on which the Certificate of Substantial Performance is published shall be the commencement of the sixty (60) day period prior to the release of holdback monies, which will be as follows:

- Total 10% Lien Holdback = \$613,974.03
- Total Lien Holdback Release (less any liens) = \$613,974.03**

Additional holdback for finishing work will be included in Payment Certificate No. 6 calculated at 10% of the value of the items yet to be delivered to site; Landfill Attendant Kiosk, Mobile Loading Ramp and Portable Toilet. This additional holdback shall be released when the items are supplied under the contract.

- Additional 10% Finishing Work Holdback = \$4,800.00
- Total Finishing Work Holdback Release (less any liens) = \$4,800.00**

Please contact our office if you have any questions.

Yours truly,



Andrew Jewell, PMP
KEEWATIN-ASKI LTD.
ENGINEERING & ARCHITECTURE

Cc: Vivian Waswa, Shibogama Technical Services
Luke McKay, Wunnumin Lake First Nation

Attach: Certificate of Substantial Performance

CERTIFICATE OF SUBSTANTIAL PERFORMANCE

UNDER SECTION 32 OF THE CONSTRUCTION ACT, 1990

PROJECT: **Wunnumin Lake First Nation New Landfill & Transfer Station Construction and Existing Landfill Closure Works**

ADDRESS: Wunnumin Lake, Ontario

THIS IS TO CERTIFY THAT THE WORK FOR:

The construction of the Wunnumin Lake First Nation New Landfill & Transfer Station and Existing Landfill Closure Works Project, including but not limited to: construction of the transfer station site & associated infrastructure, construction of the landfill site and associated infrastructure and the closure of the former/ existing landfill site.

WAS SUBSTANTIALLY PERFORMED ON:

November 3, 2022

NAME/ADDRESS OF OWNER: **Wunnumin Lake First Nation**
PO Box 105 c/o Band Office
Wunnumin Lake, ON P0V 2Z0

COMPONENTS OF THE WORK REMAIN TO BE COMPLETED. THIS CERTIFICATE DOES NOT RELIEVE THE CONTRACTOR OF THE OBLIGATION TO COMPLETE THE REMAINDER OF THE CONTRACT IN A TIMELY MANNER AS REQUIRED BY THE CONTRACT DOCUMENTS.

NAME/ADDRESS OF CONTRACTOR: **Arnason Industries Ltd.**
Box 48, Group 2, R.R.2
Winnipeg, MB R3C 2E6

NAME/ADDRESS OF CERTIFIER: **Keewatin-Aski Ltd.**
58 Wellington St.
Sioux Lookout, Ontario, P8T 1E1

SIGNATURE OF CERTIFIER:


Andrew Jewell, PMP

DATE CERTIFICATE SIGNED: November 11, 2022

OFFICE TO WHICH CLAIM FOR LIEN AND AFFIDAVIT MUST BE GIVEN TO PRESERVE LIEN:

Keewatin-Aski Ltd.
58 Wellington St.
Sioux Lookout, Ontario, P8T 1E1