

Toronto Water
Lou Di Gironimo, General Manager

Metro Hall
55 John Street
18th Floor
Toronto, Ontario M5V 3C6

Reply to: Zack Sayevich
Tel: 416-397-5375
zackary.sayevich@toronto.ca
www.toronto.ca

December 15, 2022

Adam Downie
Operations Manager – Water & Wastewater
Black & McDonald Limited
75 Commerce Valley Drive West
Thornhill, Ontario, L3T 7N9

Re: Contract No. 18TW-CTS-02CS, Tender No. 19-2019, Water Supply Valve Metering and Automation Upgrades

Certification of Substantial Performance and Substantial Performance Statutory
Holdback Release Payment Certificate

Dear Adam Downie:

We are writing in response to your December 13, 2022 application for Certification of Substantial Performance for the above-noted contract. Please find attached our Certificate of Substantial Performance. As required by the Section 32(1) Paragraph 5 of the Construction Act, you are now required to publish a copy of the certificate in the manner set out in the regulations.

As per clause GC 5.6.1 of the City of Toronto's General Conditions, you are required to submit a Proper Invoice for the Lien Holdback at the conclusion of the 60 days following publication of the Certificate of Substantial Performance. In accordance with GC 5.6.3, payment of the Lien Holdback shall be made no later than fifteen (15) working days after our receipt of the Proper Invoice for the Lien Holdback, subject to the provisions of the Construction Act and the Agreement, including GC 5.6.4.

Should you have any questions regarding this matter, please contact me directly at 416-397-1068.

Yours truly,



Andrew Chan, P.Eng.
Senior Project Manager
Process Control Systems Unit
Toronto Water

Attachments: Certificate of Substantial Performance of the Contract under Section 32 of the Act, Form 9

Copy to: Henry Polvi, Senior Engineer, Water Supply
Naren Mylvaganam, Engineer, Water Supply
Scott Taylor, WSP Canada Inc.



Black & McDonald

12/13/2022

WSP

100 Comer Valley Drive West
Thornhill, ON L3T 0A1
Phone: 905-882-4211
Fax: 905-882-0055

ATTN: Scott Taylor
Project: Water Supply and Metering Automation Upgrade
Subject: Substantial Completion
Re: Form 9

Dear Scott,

Please accept this letter as official notice for Substantial Completion of the following project

City of Toronto
Water Supply Valve and Metering Automation Upgrades
Contract No. 18TW-CTS-02PCS

The City will assume full possession and responsibility for the project or designated area, less deficiency list items, on the dates listed in the Operation & Maintenance Manuals. All warranties will start the on the days provided in the Black & McDonald Warranty Letter.

Black & McDonald is requesting the release of the holdback in the amount of \$500,458.94

Upon acceptance of the Form 9, Black & McDonald will publish the certificate of completion in the Daily Commercial News for a period 60 days.

Regards,

Adam Downie
Project Manager



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

Construction Act

City of Toronto

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

High Level Pumping Station 25 Poplar Plains Road M4V 2M7

(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:

18TW-CTS-02PCS Water Supply Valve and Metering Automation Upgrades

(short description of the improvement)

to the above premises was substantially performed on November 30, 2022

(date substantially performed)

Date certificate signed: December 15, 2022



Scott Taylor

(payment certifier where there is one)

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

Name of owner: City of Toronto

City Clerks Office, 100 Queen St. West, City Hall - West Tower 13th Floor, Toronto ON M5H 2N2
Address for service: (Attention: Richard Noehammer P.Eng., Director, Customer and Technical Support)

Name of contractor: Black & McDonald Limited

Address for service: 75 Commerce Valley Drive, Thornhill ON L3T 7N9

Name of payment certifier (where applicable): WSP Canada Inc.

Address: 100 Commerce Valley Drive, Thornhill ON L3T 01A

(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:

Claims for Lien are to be submitted to the Clerk of the City of Toronto electronically as directed at
www.toronto.ca/liens.

(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)