



March 3, 2023

Landmark Structures Co.
3091 Harrison Court
Burlington, Ontario, L7M 0W4

Attention: Mr. Paul DiPelino, Project Manager

**RE: RFT-2021-05 – DRAYTON ELEVATED TANK
CERTIFICATE OF SUBSTANTIAL PERFORMANCE**

Dear Mr. DiPelino:

In response to your request dated March 2, 2023, please find enclosed herein one (1) copy of the Certificate of Substantial Performance, which establishes the date of Substantial Performance as March 1, 2023. In accordance with the General Conditions of Contract, the twenty-four (24) month Warranty Period will expire on March 1, 2025.

In the next few days, CIMA+ will prepare a Final Detailed Statement and Change Order - Final Measurement, which will establish the Final Contract Price. Following receipt of the accepted Change Order, we will prepare and issue the Substantial Performance Payment Certificate and the Release of Holdback Payment Certificate.

In accordance with sub-section 5 of Section 32(1) of the Construction Act, would you please arrange for the publication of the Certificate in the Daily Commercial News. The actual date of such publication will establish the commencement of the 60-day lien period per Section 31 of the Act. Release of the statutory holdback cannot be made before the expiry of such period.

In order to avoid any delays in processing the Release of Holdback, and in accordance with GC 39.8.3, please forward the following documents at your earliest convenience:

1. A written undertaking to complete expeditiously any outstanding Work and to discharge all unfulfilled obligations under the Contract.
2. Your final claim (except in respect of outstanding Work).
3. A Contract Release in a satisfactory form, releasing the Owner from all further claims relating to the Contract (except in respect of outstanding work). A sample Contract Release form is attached for your information and use.
4. A Statutory Declaration in a form satisfactory to the Engineer that all liabilities incurred by the Contractor and its Subcontractors in carrying out the Contract have been discharged and that all liens in respect of the Contract and Subcontracts thereunder have expired or have been satisfied, discharged, or provided for by payment into Court; and

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Choose an item.

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5. A satisfactory Clearance Certificate from the Workplace Safety and Insurance Board, and
6. Proof of publication of the Certificate of Substantial Performance.

Please provide an updated schedule confirming when all uncompleted works will be completed, and when all deficiencies will be corrected. In addition, please ensure that your insurance policy remains in full force and effect until the Final Certificate is issued.

Should you have any questions or require any additional information, please do not hesitate to contact the undersigned.

Sincerely,

CIMA Canada Inc.

Stuart Winchester, P.Eng.
Partner, Senior Director, Infrastructure
stuart.winchester@cima.ca

Encl.

cc: Jamie Morgan, Township of Mapleton

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

Construction Act

Community of Drayton in the Township of Mapleton

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

29 Drayton Industrial Drive

(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:

Construction of a new 2,400 m3 elevated water storage tank at 29 Drayton Industrial Drive

(short description of the improvement)

to the above premises was substantially performed on March 1, 2023

(date substantially performed)

Date certificate signed: March 2, 2023



(payment certifier where there is one)

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

Name of owner: Corporation of the Township of Mapleton

Address for service: 7275 Sideroad 16, Drayton, Ontario, N0G 1P0

Name of contractor: Landmark Structures Co.

Address for service: 3091 Harrison Court, Burlington, Ontario, L7M 0W4

Name of payment certifier (where applicable): CIMA Canada Inc., per Stuart Winchester, P.Eng.

Address: 900-101 Frederick Street, Kitchener, Ontario, N2H 6R2

(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:

Office of the Clerk of the Township of Mapleton

(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)