

Form 6

Construction Lien Act

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

Toronto, ON

(County/District or Regional Municipality/City or Borough of Municipality of Metropolitan Toronto
in which premises are situate)

170 Eastern Avenue

(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:

Underslab Vapour Barrier

(short description of the improvement)

to the above premises was substantially performed on February 22nd, 2022

(date substantially performed)

Date certificate signed: March 7, 2023

(payment certifier where there is one)

X

X

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

Name of owner

Urban Capital Redquartz Inc. - River City 4

Address for service

17 Nelson Street, Toronto, ON M5V 3H9

Name of contractor

Aqua North Contracting

Address for service

1380 Birchmount Road Scarborough, ON, M1P 2E3

Name of payment certifier

Urban Capital Redquartz Inc. - River City 4

(where applicable)

Address

17 Nelson Street, Toronto, ON M5V 3H9

(Use A or B whichever is appropriate)

A. Identification of premises for preservation of liens:

(where liens attach to premises, reference to lot and plan or instrument registration number)

B. Office to which claim for lien and affidavit must be given to preserve lien:

Urban Capital Redquartz Inc. - River City 4 17 Nelson Street, Toronto, ON M5V 3H9

(where liens do not attach to premises)

R.R.O. 1990, Reg. 175, Form 6

ACKNOWLEDGEMENT FOR RELEASE OF TRADE HOLDBACK

TO: **Urban Capital Redquartz Inc. – River City 4 (“Owner”)**

FROM: **Bluescape Construction Management (“CM”)**

DATE: **02/22/22**

PROJECT: **Harris Square (“Project”)**

Re: Conditions Prior to Release of Statutory Holdback (“Holdback”) to **Aqua North** (the “Trade”) pursuant to a contract between the Trade Contractor and [Owner/CM] (the “Trade Contract”)

The CM confirms and advises the Owner that it has reviewed the Trade’s application for payment of Holdback and that it is complete and all deliverables required under the Trade Contract have been satisfied. In particular, each item below has been properly completed by the Trade and received by the CM (please tick each box confirming item is complete):

- Y** ☐ The Trade has provided all shop drawings, warranties, manuals and operational guides, drawings, including as-built drawing, and other documents (collectively “Documents”) as required by the Trade Contract to the CM
- Y** ☐ The Documents have been signed and stamped by a registered engineer, where required
- Y** ☐ The Trade has supplied a form 9 Certificate of Substantial Performance of the Contract (or if a subtrade (a form 7 Declaration of Last Supply and a form 10 Certificate of Completion of Subcontract)
- Y** ☐ All deficiencies of which the CM is aware or have otherwise been noted by any inspections (by any parties) in relation to the Trade’s work have been: (i) fully rectified; or (ii) sufficient funds are being held back above and beyond Holdback to cover the estimated costs to rectify such deficiencies by a third party, if needed
- Y** ☐ All request for extras or extensions of time by the Trade have been settled by way of fully signed change orders as per the Trade Contract
- Y** ☐ The CM is not aware of the Trade having any further potential claims against the Owner, and has obtained a statutory declaration and/or a release from the Trade current as of the Trade’s application for release of Holdback, *other than as detailed in the appendix attached hereto (cross out if NA)*
- N** ☐ All required extra materials have been received, inspected and stored
- A**

[CONSTRUCTION MANAGER]

J. Cunningham

Per: **J Cunningham**

Position: **Project Manager**

I/we have authority to bind the corporation