

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

*Construction Act*

Scarborough, ON

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

1265 Military Trail, ON M1C 1A4

(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:

DCM2019-17 Book Store Entrance Accessibility Upgrades

(short description of the improvement)

to the above premises was substantially performed on Friday July 29, 2022

(date substantially performed)

Date certificate signed: Wednesday, January 11, 2023



(payment certifier where there is one)

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

Name of owner: University of Toronto  
Scarborough

Address for service: 1265 Military Trail, ON M1C 1A4

Name of contractor: ROSSCLAIR Contractors Inc.

Address for service: 59 Comstock Road, Suite 1, Toronto, ON M1L 2G6

Name of payment certifier (where applicable): Schollen & Company Inc.

Address: 30 Wertheim Court, Unit 15, Richmond Hill, ON L4B 1B 9

(Use A or B, whichever is appropriate)

- ☒ A. Identification of premises for preservation of liens:  
**ADDRESS: 1265 Military Trail, Toronto, ON M1C 1A4**  
**PIN: 06236-0121 (LT)**  
**LEGAL DESCRIPTION: PT LTS 9 & 10, CON 1 AS IN SC302595 & SC450534 S/E SC325629, PT 1, PL 66R17760 & PT 1, PL 66R19419, SAVE AND EXCEPT PART 1, PLAN 66R-29087, S/T EASE OVER PARTS 1 & 2 ON PLAN 66R-17932 IN FAVOUR OF THE CITY OF TORONTO AS IN E388510, CITY OF TORONTO. DESCRIPTION MAY NOT BE ACCEPTABLE IN THE FUTURE; SUBJECT TO AN EASEMENT IN GROSS OVER PARTS 2, 5, 8, 11, 12, 14, 18, 22 AND 24 ON PLAN 66R25065 AS IN AT2889028**

(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, 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)

# ROSSCLAIR

CONTRACTORS & CONSTRUCTION MANAGERS

*SINCE 1975*

Attention: Mayes Rihani

On behalf of Rossclair Contractors please accept this letter as a request for the architect's certificate of substantial performance (form 9 of the Construction Act for the above-mentioned project to certify substantial performance of the subject contract as of **July 29<sup>th</sup> 2022.**

It is our commitment to the client that Rossclair will continue to work with both the architect and client to addressing the deficiencies outlined in any warranty items.

It is noted that

- |   |             |
|---|-------------|
| 1. Adjustments to Contract price          |             |
| a. Original Contract amount               | \$65,620.00 |
| b. Approved Change orders                 | \$-2,192    |
| 2. Total Contract Amount                  | \$63,428    |
| 3. Deferred Work                          | \$0.00      |
| 4. Revised total Contract to determine SP | \$63,428    |
| i. 3% of First \$1,000,000                | \$1,902.84  |
| 5. Deficiencies / Amount Yet to Complete  |             |
| i. Closeout Documents                     | \$ 400.00   |

The space has been handed over and can be used for the intent for which it was designed.

The amount of work remaining to be completed, being \$400 is less than the maximum allowable to achieve substantial performance which is \$1,902.84.

As the criteria of the substantial performance has been completed. Rossclair contractors Inc. requests that the certificate be issued. The issuance of the certificate of substantial performance does not complete the project but only starts the defined Lien/holdback release period.

Holdback will be immediately invoiced upon publication of the Form 9 in the Daily Commercial news.

# ROSSCLAIR

CONTRACTORS & CONSTRUCTION MANAGERS

*SINCE 1975*

We trust you will find all in order.

Sincerely,

Paddy Sheehy

Project Manager