

May 24, 2023

Mr. J. Robertson  
Robertson Restoration (818185 Ontario Inc)  
38 Campbell Farm Road  
Brantford, Ontario N3T 5L6

Dear Mr. Robertson:

RE: WATERLOO COUNTY GOVERNOR'S HOUSE PORCH RESTORATION  
73 Queen Street North, Kitchener, Ontario  
LETTER OF SUBSTANTIAL PERFORMANCE  
- GENERAL CONTRACTOR: ROBERTSON RESTORATION (818185 Ontario Inc)

This is to advise you that the building contract for the above-mentioned project has been accepted as substantially performed as of May 24, 2023, per enclosed Certificate of Substantial Performance).

In accordance with the project specifications, the balance of the holdback will be released after the expiration of the 60-day lien period. Pursuant to the requirements of the Construction Act it is necessary that the Contractor shall publish the certificate in a construction trade newspaper. The date of publication commences the lien period.

The acceptance of this work does not relieve the General Contractor and his subcontractors of their responsibility to carry out any and all deficiencies in materials and workmanship that might come to light during the warranty/guarantee period which will run for one year from the date of Substantial Performance: from May 24, 2023 to May 24, 2024.

Mr. J. Robertson  
Robertson Restoration (818185  
Ontario Inc)

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The holdback will not be released until the following required documents have been received:

- i. Workplace Safety and Insurance Board Certificate of Clearance from the General Contractor;
- ii. Statutory Declaration that no liens are on the building from the General Contractor;
- iii. Copy of advertisement of Substantial Performance Certificate, as published in a construction trade newspaper, to the Architect and the Owner.

If there are any further questions, please do not hesitate to contact our office.

Sincerely,

+VG ARCHITECTS



Kevin Church

cc: Luke Simon – Region of Waterloo  
E. Kuckyt, H. Robertson, R. Tyerman – Robertson Restoration  
D. Westman - +VG Architects

#### Attachment

*This communication is intended as a private communication for the sole use of the primary addressee and those individuals listed for copies in the original message. The information contained in this communication is private and confidential and if you are not an original intended recipient you are hereby notified that copying, forwarding or other dissemination or distribution of this communication by any means is prohibited. If you are not specifically authorized to receive this communication and if you believe that you received it in error please notify the original sender immediately. This is proprietary to +VG Architects (The Ventin Group).*

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

*Construction Act*

**City of Kitchener**

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

**73 Queen Street North, Kitchener**

(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:

**Waterloo County Governor's House Restoration**


(short description of the improvement)

to the above premises was substantially performed on **May 24, 2023**

(date substantially performed)

Date certificate signed: **May 24, 2023**

  
(payment certifier where there is one)

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

Name of owner: **Region of Waterloo**

Address for service: **20 Weber Street East, 3<sup>rd</sup> Floor, Kitchener, Ontario N2H 1C3**

**Robertson Retoration (818185  
Ontario Inc.**

Name of contractor:

Address for service: **38 Campbell Farm Road, Brantford, Ontario N3T 5L6**

Name of payment certifier (where applicable): **The Ventin Group Ltd.**

Address: **50 Dalhousie Street, Brantford, Ontario N3T 2H8**

(Use A or B, whichever is appropriate)

☒ A. Identification of premises for preservation of liens:

**73 Queen Street North, Kitchener**

(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, the name and address of the person or body to whom the claim for lien must be given)

## APPLICATION FOR SUBSTANTIAL PERFORMANCE

**Date:** May 24, 2023

**Project Name:** Waterloo County Governor's House Porch Restoration

**+VG Project No.:** 22221

**Contractor:**

CONTRACT		
1	Present Contract Amount (includes all Change Orders)	\$179,181.92
2	Less Total Work Performed to Date: (%) shown (as per Invoice amount) (date)	\$179,181.92
3 (1-2)	Balance Left to Complete ( <b>DO NOT</b> include Holdback)	\$0.00
4	Less Unused Allowances: (provide back-up)	\$0.00
5 (3-4)	Remaining Value to be Completed	\$0.00

CONSTRUCTION ACT \$179,181.92		
6	3% of the first \$1,000,000 of the contract price	\$5,375.46
7	Plus 2% of next \$1,000,000 of the contract price (if applicable)	\$0.00
8	Plus 1% of remaining Contract (Present Contract minus \$2,000,000 = _____)	\$0.00
9 (6+7+8)	Substantial Performance Threshold	\$5,375.46

**Therefore, Construction Act criteria have been met for Substantial Performance because the "Remaining Value to be Completed" is less than the "Substantial Performance Threshold".**

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