



M A R K N A W R O C K I
A R C H I T E C T I N C

May 29, 2023

Our Project No.: 2105
sent via email: Ramez.Mikhael@colliersprojectleaders.com

COLLIERS PROJECT LEADERS INC.
5255 Orbitor Drive, Suite 401
Mississauga, ON L4W 5M6

Attention: Ramez Mikhael, Project Manager.

RE: 2105 - 1080474 – ENVELOPE UPGRADES, 135 St. Clair Ave. West, Toronto
CERTIFICATION OF PARTIAL SUBSTANTIAL PERFORMANCE OF THE PROJECT
Ground Floor Interior Space and 2nd Floor Tenant Space

In accordance with Section 32 of the Construction Lien Act R.S.O. 1990, we have certified that **Koler Construction Inc.** has partially substantially performed the work of the above noted project on **May 25, 2023**, for the areas specifically noted above. A copy of the Certificate of Substantial Performance is attached. Also, Our Deficiency List #1 is attached for your information and record.

On the basis of our periodic review, we have evaluated the Work and to the best of our knowledge, information and belief, determined that the construction has been carried out in general conformity with the Architectural documents.

Based on this certification we hereby advise you that in accordance with Section 31 of the Construction Lien Act, R.S.O. 1990, the release of the basic statutory holdback shall be due on the forty -sixth (46th) day after publication of the certification by **Koler Construction Inc.** Once we have received proof of publication, we will issue a Certificate for Payment for Holdback Release.

Sincerely,
MARK NAWROCKI ARCHITECT INC.

Mark Nawrocki - Principal
B. Tech. B. Arch. O.A.A. M.R.A.I.C.

C.C. Contractor: John Miolla – KOLER CONSTRUCTION INC. - (via e-mail).

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)

135 St. Clair Avenue West, Toronto, Ontario

(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:

2105 - 1080474 ENVELOPE UPGRADES

Limited to: GROUND FLOOR INTERIOR SPACE AND 2ND FLOOR TENANT SPACE - only

(short description of the improvement)

to the above premises was substantially performed on

May 25, 2023

(date substantially performed)

Date certificate signed: **May 29, 2023**

Mark Nawrocki Architect Inc.

(payment certifier where there is one)



Signature

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

Name of owner: **INFRASTRUCTURE ONTARIO**

Address for service: **1 Dundas Street West, Suite 2000, Toronto, ON M5G 2L5**

Name of contractor: **KOLER CONSTRUCTION INC.**

Address for service: **700 Lawrence Ave. West, Suite 375, Toronto, ON M6A 3B4**

Name of payment certifier
(where applicable): **MARK NAWROCKI ARCHITECT INC.**

Address: **222 Islington Avenue, Suite 260, Toronto, ON M8V 3W7**

(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:

President & CEO, Infrastructure Ontario, 1 Dundas St. W., Suite 2000, Toronto, ON M5G 2L5

(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)



May 29, 2023

File: 2105

KOLER BUILDERS

Attention: John Miolla,

**Re: Envelope Upgrades (MOE Headquarters Ground Floor)
135 St. Clair Avenue West, Toronto**

DEFICIENCY LIST #1
Site Visit: May 25, 2023

PLEASE NOTE, THAT ALL WORK IS TO BE CARRIED OUT IN GENERAL CONFORMANCE WITH THE CONTRACT DOCUMENTS

Attendees: Infrastructure Ontario - Jose Argueta
Colliers Project Leaders - Ramez Mikhael
CBRE - Fanel Hududui
General Contractor - Koler Builders - John Miolla
General Contractor - Koler Builders - Grahme Walsh
Architect - Mark Nawrocki Architect Inc. - Sergiy Kitaygora
Architect - Mark Nawrocki Architect Inc. - Mark Nawrocki

Purpose of meeting was to review substantial performance of the millwork and carpet for the Boardroom Renovations.

GROUND FLOOR WEST SIDE:



1.

2.

3.

4.

5.

6.

Photo 1-2: Interior flashing covering the 6" gap that was formed to expose access to the curtain wall is now complete.

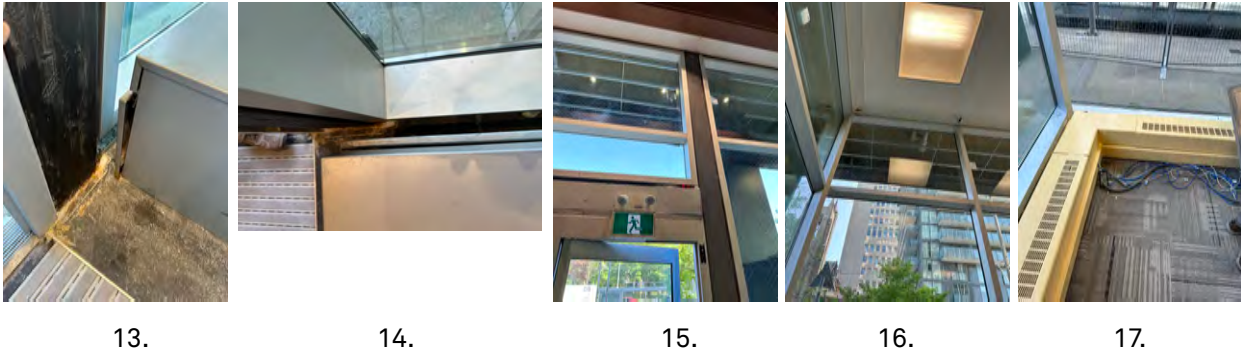
Photo 3-4: Interior lighting fixtures have been completed.

Photo 5: Gap between Radiator and new curtain wall to be filled. GC has offered to provide a closure strip to fill the irregular gap along the perimeter (typical).



GROUND FLOOR/WEST SIDE/REAR:

Photo 7-10: GC to clean glass and curtain wall frames of all excess glues, caulking, and labels.
Photo 11-12: GC to provide missing wall plate covers. Also, foam insulation to be trimmed and cleaned. Aluminum trim to be provided to cover vertical gap as shown (bottom to top of curtain wall).



GROUND FLOOR FRONT FOYER:

Photo 13: GC to provide missing interior vertical trim to steel column (black) at Front Foyer.
Photo 14: GC to provide base trim to interior side of curtain wall between curtain wall and floor rads at Front Foyer.
Photo 15: GC to provide missing interior vertical trim to steel column (black) up to ceiling at Front Foyer.

GROUND FLOOR/EAST SIDE/FRONT:

Photo 16: GC to complete installation of power operated window blinds. Various stickers on glass to be cleaned.
Photo 17-18: GC to clean various stickers on glass and general cleaning/vacuuming.



GROUND FLOOR EAST SIDE (REAR):

Photo 19-20: Existing wall, as shown, appears that it got wet and drywall was blemished. GC to cover gap (approx. 3”) with aluminum angle from top to bottom of curtain wall.
Photo 21-22: GC to replace exterior doors as shown with proper sized doors (as per contract). Miscellaneous gypsum board filling and patching to be completed at head of door and door operator and at base of door and floor (photo 22).



23.



24.



25.



26.



27.



28.

GROUND FLOOR (FRONT ENTRANCE):

Photo 23-24: GC to complete installation of aluminum covers over steel columns/beams around main entrance. Also, grazing caps still to be installed.

GROUND FLOOR/WEST SIDE:

Photo 25-26: GC to complete soffit ceiling including replacing existing lights/etc., new access panels, and new mechanical grille with filter as per contract.

Photo 27: GC to complete installation of metal window base flashing to underside of curtain wall base frame and over concrete curb (approx. 1" over chamfered edge).

GROUND FLOOR/WEST SIDE/REAR:

Photo 28: Installation of the new, larger (deeper) curtain wall is protruding slightly further forward than the existing had been. This is resulting in interference with the existing operation of the adjacent exit door as shown at this location. The door will open, however, may not open a full 90 deg. (due to the curtain wall frame). This will not be significant for exit purposes but, GC is recommended to add a door stop to prevent potential damage to the curtain wall and door.

SECOND FLOOR - WATER DAMAGE RESTORATION WORK:

Review of the second floor revealed that the majority of work and deficiencies had been completed. In general, areas to note for the GC include only few areas of carpet tiles, carpet tile base, caulking, wall cover plates. However, as of completing this Deficiency List, GC has communicated completion of all the mentioned and any remaining ones.

END OF DEFICIENCY LIST