



June 8st, 2023

WSP 141-21318-00

Mr. Dave Borrows

Re: Contract #MCP13-08– The Rehabilitation and Upgrade of Seven (7) Group 5 Sewage Pumping Stations (SPS) at various locations throughout the City of Toronto

Dear Mr. Borrows,

On behalf of the Toronto Water, In accordance with Section 32 of the Construction Lien Act, R.S.O. 1990, we have certified that BLACK & McDONALD LIMITED has substantially performed the work of the above noted contract on May 25, 2023. A copy of the Certificate of Substantial Performance is attached.

On the basis of our 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 MCP13-08 contract stipulations and requirements. This determination of Substantial Performance is based on the agreement between the Owner and the Contractor to complete all outstanding hard and soft restorations including any deficiencies to the satisfaction of the contract requirements. As required by the Section 32(1) Paragraph 5 of the Construction Lien Act, R.S.O. 1990, c.C.30, as amended, you are now required to publish a copy of the certificate in the manner set out in the regulations.

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 Substantial Performance Statutory Holdback shall be due on the sixty-first (61th) day after the date of publication of the Certificate of Substantial Performance but subject to the provisions of the Construction Lien Act and the submission by the Contractor of the following documents:

- (i) a Release and Waiver of Contractor (see attached form SP-1);
- (ii) a Statutory Declaration of Contractor (see attached form SP-2);
- (iii) a satisfactory Certificate of Clearance from the Workplace Safety and Insurance Board; and
- (iv) proof of publication of the Certificate of Substantial Performance.

Should you have any questions regarding this matter, please contact the undersigned.

Yours truly,
WSP Canada Group Limited

A handwritten signature in blue ink, appearing to read 'Umang Acharya'.

For

Umang Acharya
Contract Administrator

Cc Arthur Sinclair – Toronto Water
Anthony Sinaguglia – WSP
Edwin Ayson - City of Toronto

Form 6

Construction Lien Act

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

Toronto Water, Province of Ontario

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

69 Ellis Park Road, Toronto, ON M6S 2V3

(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 upgradation:

Contract #MCP13-08– The Rehabilitation and Upgrade of Seven (7) Group 5 Sewage Pumping Stations (SPS) at various locations throughout the City of Toronto

(short description of the improvement)

to the above premises was substantially performed on May 25th, 2023

(date substantially performed)

Date certificate signed: June 8th, 2023

Umang Acharya



For

(payment certifier where there is one)

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

Name of owner

Toronto Water

Address for service

City Hall, 18th Floor, West
Tower Professional Services
100 Queen Street West
Toronto, Ontario M5H 2N

Name of contractor

Black and Macdonalds Limited

Address for service

31 Pullman Court, Scarborough ON M1X 1E4

Name of payment certifier

WSP Canada Group Limited

(where applicable)

Address

100 Commerce Valley Drive West, Thornhill, ON, L3T 0A1

(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:

City Clerk's Office, City of Toronto
100 Queen St. West
Toronto ON, M5H 2N2

(where liens do not attach to premises)

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