



Toronto Transit Commission
1900 Yonge Street, Toronto, ON M4S 1Z2
416-393-4000

June 13, 2023

Via Email

Mr. Joseph Lombardo
Project Manager
Black & McDonald Limited
31 Pullman Court
Scarborough, ON
M1X 1E4

Dear Mr. Lombardo:

**Re: Contract C1-42 Wilson Carhouse - Track 15 and 16 Expansion and Alterations
Substantial Performance**

This is to advise you that the Work included in the above noted Contract was Substantially Performed on May 1, 2023. Enclosed for your publication is a copy of the Certificate of Substantial Performance in accordance with the Construction Lien Act.

Please find attached a deficiency list. Please complete all outstanding work and remedy all deficiencies as dated in the attached outstanding work form.

In accepting this work, the TTC does so on the understanding that warranty on the completed work as set out in Document 00 72 00 Article GC 10 of the Contract Documents, commenced on May 01, 2023.

Release of holdback and final payment will be made in accordance with Contract Document sections 00 72 00 and 00 73 00.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Murtadha Hamid'.

For Murtadha Hamid
Construction Site Manager
Construction Management Services

50-125-112
03075-457924915-50

Attachments: Certificate of Substantial Performance
Deficiency List

Jon Burnside, Chair
Joanne De Laurentiis, Vice-Chair
Richard J. Leary, Chief Executive Officer

Paul Ainslie, Commissioner
Stephen Holyday, Commissioner
Fenton Jagdeo, Commissioner
Ron Lalonde, Commissioner

Nick Mantas, Commissioner
Chris Moise, Commissioner
Julie Osborne, Commissioner

FORM 6
CERTIFICATE OF SUBSTANTIAL PERFORMANCE OF THE
CONTRACT UNDER SECTION 32 OF THE ACT
Construction Lien Act

In the City of Toronto

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

Wilson Yard, 160 Transit Road Toronto, ON M3H 6C3

(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:

C1-42 Wilson Carhouse Tracks 15 & 16 Expansion & Alterations

(short description of the improvement)

to the above premises was substantially performed on **May 1, 2023**

(date substantially performed)

Date certificate signed: **June 13, 2023**

(payment certifier where there is one)

Per 

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

Name of owner: Toronto Transit Commission

Address for service: 1900 Yonge Street, Toronto, Ontario, M4S 1Z2

Name of contractor: Black & McDonald Limited

Address for service: 31 Pullman Court, Scarborough, ON, M1X 1E4

Name of payment certifier (where applicable):

Address:

(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 number or instrument registration number)

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

Claims for Lien are to be submitted to the Toronto Transit Commission electronically as directed at www.ttc.ca/liens.

(where liens do not attach to premises)



Outstanding Work

May 1, 2023

Issue Date

Contract Number		Contract Name		
C1-42		Wilson Carhouse Expansion and Alteration Tack 15 and 16		
Item	Description	Type	To be completed by	External Comments
1	SUBMITTALS	Incomplete	7/3/2023	About 10% of the submittals are missing. GC will expedite the submission.
2	Shop Drawings	Incomplete	7/3/2023	There are still outstanding Shop Drawings for ongoing work.
3	Examination, protection and restoration of property / condition survey	Incomplete	7/3/2023	Due to ongoing work, the remaining value will be paid upon completion of incomplete work.
4	Final cleaning	Incomplete	8/3/2023	Although the basement final cleaning has been completed, however, incomplete work is ongoing on the ground floor and the value will be paid in full upon final cleaning.
5	Training Course Material	Incomplete	8/1/2023	To be completed once all the documentation is provided to TTC.
6	Operation Training	Incomplete	8/1/2023	To be completed once all the documentation and training are provided to TTC.
7	Maintenance Training	Incomplete	8/1/2023	To be completed once all the documentation and training are provided to TTC.
8	Commissioning (Functional Performance Testing) Procedures	Incomplete	7/3/2023	The value will be paid once the commissioning documentation is provided to TTC for all equipment. This item is ongoing.
9	Commissioning (Functional Performance Testing)	Incomplete	7/3/2023	The value will be paid once the commissioning documentation is provided to TTC for all equipment. This item is ongoing.
12	Ceiling finishes including painting finishes	Incomplete	7/3/2023	All the work for ceiling installation is completed, only painting is ongoing and once it is completed the value will be paid.
13	Common work results for equipment as per section 11 05 00	Incomplete	7/3/2023	All the misc work including final tagging, touch-up paint, and signs is ongoing.

14	Lubricating and service system for the equipment as per section 11.11.19	Incomplete	7/3/2023	Work is ongoing for the equipment that has been installed in 2023.
19	Mechanical general requirements for truck overhaul equipment including inspection	Incomplete	7/3/2023	All inspections and tests are completed for the equipment however, reports are outstanding.
20	Supply and install sanitary waste and vent piping	Incomplete	7/3/2023	The vent pipings in some locations need to be reinstalled as per drawings, work is ongoing.
22	Controls / building automation and control system	Incomplete	7/3/2023	The final temp setup is ongoing for stage 2 only at new section of the building.
24	CC No. 063 - Track Repair Hoist (TS-02) Design Requirements	Incomplete	7/3/2023	All the units have been installed, however, some modification is required after installation. The majority of the modification is completed and the rest will be done after SP.
25	CD No. 177 Track 14 Platform Handrail Modifications	Incomplete	7/3/2023	The work is ongoing and a major part of the scope has been completed.
26	RFQ No. 218 Fire Alarm Annunciator and Devices RFI-281 / RFC-117	Incomplete	7/3/2023	The work is ongoing after SP.
27	Hoarding, fences, and barriers including gates for Stage 3	Deferred	7/3/2023	TTC issued RFQ 208 for the deletion of work for Stage 3. Therefore the work won't be commenced as it is part of the deleted scope. The credit for the deletion is under review by TTC and upon approval, this value will be adjusted accordingly.
28	Operation and Maintenance Manuals	Deferred	7/3/2023	As per the Contract document, this value is payable once all the documents are submitted to TTC and achieve Reviewed status. The Contractor is submitting the documents ongoing.
29	As-Built Drawings	Deferred	7/3/2023	As per the Contract document, this value is payable once all the documents are submitted to TTC and achieve Reviewed status. The Contractor is submitting the documents ongoing.
30	Site preparation and structural removals for Stage 3	Deferred	7/3/2023	TTC issued RFQ 208 for the deletion of work for Stage 3. Therefore the work won't be commenced as it is part of the deleted scope. The credit for the deletion is under review by TTC and upon approval, this value will be adjusted accordingly.
31	Concrete topping including welded wire mesh to the composite deck (inspection platform) Stage 3	Deferred	7/3/2023	TTC issued RFQ 208 for the deletion of work for Stage 3. Therefore the work won't be commenced as it is part of the deleted scope. The credit for the deletion is under review by TTC and upon approval, this value will be adjusted accordingly.

32	Composite metal deck - Stage 3	Deferred	7/3/2023	TTC issued RFQ 208 for the deletion of work for Stage 3. Therefore the work won't be commenced as it is part of the deleted scope. The credit for the deletion is under review by TTC and upon approval, this value will be adjusted accordingly.
33	Structural steel framing to platform construction, beams and columns including base plates, Hilti bolts, posts, structural framing, bracing, and HSS handrails - Stage 3	Deferred	7/3/2023	TTC issued RFQ 208 for the deletion of work for Stage 3. Therefore the work won't be commenced as it is part of the deleted scope. The credit for the deletion is under review by TTC and upon approval, this value will be adjusted accordingly.
34	Structural steel framing to hanging guardrails including moment connections and bracing - Stage 3	Deferred	7/3/2023	TTC issued RFQ 208 for the deletion of work for Stage 3. Therefore the work won't be commenced as it is part of the deleted scope. The credit for the deletion is under review by TTC and upon approval, this value will be adjusted accordingly.
35	New guard rail to the existing platform including safety gates - Stage 3	Deferred	7/3/2023	TTC issued RFQ 208 for the deletion of work for Stage 3. Therefore the work won't be commenced as it is part of the deleted scope. The credit for the deletion is under review by TTC and upon approval, this value will be adjusted accordingly.
36	Powder coated aluminum maintenance platform at roof level - Stage 3	Deferred	7/3/2023	TTC issued RFQ 208 for the deletion of work for Stage 3. Therefore the work won't be commenced as it is part of the deleted scope. The credit for the deletion is under review by TTC and upon approval, this value will be adjusted accordingly.
37	Paint finishes - Stage 3	Deferred	7/3/2023	TTC issued RFQ 208 for the deletion of work for Stage 3. Therefore the work won't be commenced as it is part of the deleted scope. The credit for the deletion is under review by TTC and upon approval, this value will be adjusted accordingly.
38	Miscellaneous specialties work for Stage 3	Deferred	7/3/2023	TTC issued RFQ 208 for the deletion of work for Stage 3. Therefore the work won't be commenced as it is part of the deleted scope. The credit for the deletion is under review by TTC and upon approval, this value will be adjusted accordingly.
39	Mechanical general requirements - Stage 3	Deferred	7/3/2023	TTC issued RFQ 208 for the deletion of work for Stage 3. Therefore the work won't be commenced as it is part of the deleted scope. The credit for the deletion is under review by TTC and upon approval, this value will be adjusted accordingly.
40	Supply and install sprinkler system - Stage 3	Deferred	7/3/2023	TTC issued RFQ 208 for the deletion of work for Stage 3. Therefore the work won't be commenced as it is part of the deleted scope. The credit for the deletion is under review by TTC and upon approval, this value will be adjusted accordingly.
41	All other miscellaneous electrical expenses, rentals, etc. - Stage 3	Deferred	7/3/2023	TTC issued RFQ 208 for the deletion of work for Stage 3. Therefore the work won't be commenced as it is part of the deleted scope. The credit for the deletion is under review by TTC and upon approval, this value will be adjusted accordingly.

42	Grounding and bonding - Stage 3	Deferred	7/3/2023	TTC issued RFQ 208 for the deletion of work for Stage 3. Therefore the work won't be commenced as it is part of the deleted scope. The credit for the deletion is under review by TTC and upon approval, this value will be adjusted accordingly.
43	Electrical Identification - Stage 3	Deferred	7/3/2023	TTC issued RFQ 208 for the deletion of work for Stage 3. Therefore the work won't be commenced as it is part of the deleted scope. The credit for the deletion is under review by TTC and upon approval, this value will be adjusted accordingly.
44	CD No. 200 Correction of Water Pipe Movement	Deferred	6/15/2023	The work is scheduled to be started after SP.
45	CD No. 210 The Traction Power Trolley Beam	Deferred	8/1/2023	The work will be commenced after SP. Some electrical components will be manufactured in Germany.
46	Missing parts for machines WS-04/04A	Deficiency	7/3/2023	The equipment has to come with additional parts that are missing once the units have been delivered.
47	600 V disconnect for WS-04/04A has to be installed as per the Contract Document.	Deficiency	6/15/2023	The switch did not install as per the drawings.
48	WS-02 - Equipment Identification	Deficiency	6/15/2023	Temporary Identification using which is not acceptable.
49	Protesco Parts Washers is leaking.	Deficiency	7/3/2023	The unit is leaking on the floor via the installed duct. No safety just impacts the operation of the unit.
50	TS-20 electrical disconnect does not have visibility of switchblades.	Deficiency	8/1/2023	As per Section 28-28-23 visible switch is required.
51	Electrical Identification is missing.	Deficiency	6/15/2023	Contract Requirements
53	MUA-27 - BACS. 1 week trending report required	Deficiency	6/15/2023	This is a contract requirement as per section 23-75-23-that the contractor has to provide the weekly report.

54	TS-02, #3 (94841-02-003). Retraction Mechanism for the Compression Cylinder on Column #3 is not working properly.	Deficiency	8/1/2023	This is a requirement of the subinitial 14-45-39-012.
55	TS-02, #3 (94841-02-004). Retraction Mechanism for the Compression Cylinder on Column #5 is not working properly.	Deficiency	8/1/2023	This is a requirement of the subinitial 14-45-39-012.
56	TS-02, #3 (94841-02-005). Retraction Mechanism for the Compression Cylinder on Column #5 is not working properly.	Deficiency	8/1/2023	This is a requirement of the subinitial 14-45-39-012.
57	Cracked grout under the TS-02 columns.	Deficiency	7/3/2023	The grout has cracked (poor mix or improper curing). TTC requested rectification on this.
59	No condensate drain piping connection to the factory-installed drain for unit MUA-26.	Deficiency	8/1/2023	As per the design requirement that has been identified in the contract documents. Also, AECOM addressed it in the commissioning report.
60	MUA-26 Unit Fire Alarm shutdown not demonstrated	Deficiency	8/1/2023	This is a contract requirement and AECOM has addressed it in the Commissioning Report.
61	No condensate drain piping connection to the factory-installed drain for unit MUA-27.	Deficiency	8/1/2023	As per the design requirement that has been identified in the contract documents. Also, AECOM addressed it in the commissioning report.
62	Minor Paint Touch-up on the unit casing is required for SHG-14.	Deficiency	8/1/2023	There are scratches on the equipment's parts. As per contract documents any scratches need to be fixed.
63	Trending report to be provided for equipment SHG-14 & 15.	Deficiency	8/1/2023	This is a contract requirement as per section 23-75-23 that the contractor has to provide the weekly report.
65	No condensate drain piping connection to the factory-installed drain for unit SHG-14.	Deficiency	8/1/2023	As per the design requirement that has been identified in the contract documents. Also, AECOM addressed it in the commissioning report.
68	There are scratch marks on three (3) exterior panel surface areas of unit SHG-14 next to the Return Air Fan compartment.	Deficiency	7/3/2023	There are scratches on the equipment's parts. As per contract documents any scratches need to be fixed.

69	No condensate drain piping connection to the factory-installed drain for unit SHG-15.	Deficiency	8/1/2023	As per the design requirement that has been identified in the contract documents. Also, AECOM addressed it in the commissioning report.
70	Induction Heater Disconnect electrical identification missing for WS-19	Deficiency	7/31/2023	Requirement of section 26-05-53
71	Performed fire alarm testing for the unit MJUA-26 and it remained on while shutting off is required.	Deficiency	8/1/2023	Requirement of section 23-75-23
72	Window operator missing/not installed for equipment on the roof.	Deficiency	8/1/2023	This is required as per contract drawings.
73	Storm line missing insulation	Deficiency	8/1/2023	As per contract requirements, the insulation is required for the all storm lines.
74	Grease line and gear oil is not installed as per the drawings	Deficiency	6/15/2023	Contract Requirements
75	Wrong size fire extinguisher has been installed in multiple locations	Deficiency	7/31/2023	As per contract documents 10lb fire extinguisher is required.
76	Missing labeling and identification are not completed in many locations.	Deficiency	7/31/2023	As per the contract documents all the pipes, conduits, cables, equipment, parts and tools have to be labelled.
78	Line painting, floor marking, walkways pads	Deficiency	8/1/2023	As per the contract requirements, the floor and walkways need to be painted. For various locations, painting is missing or rework is required.
80	Pressure washer room door not closing properly	Deficiency	8/1/2023	Contract Requirements
81	Holes on the precast panels' wall need to be patched	Deficiency	6/15/2023	There are many holes, and chips that need to be repaired.

82	Penetration on the precast wall need to be sealed	Deficiency	6/15/2023	As per the contract document, the Contractor has to seal any penetration through the walls including exterior and interior.
83	Track 15/16 rail need to be cleaned	Deficiency	6/15/2023	there are many of debris and excess concrete along these tracks that need to be cleaned as per the contract requirement.
84	Missing Saw cut joint sealant	Deficiency	8/1/2023	No saw cut was observed in the new extension as per the contract drawings.
85	General mechanical deficiencies	Deficiency	8/1/2023	AECOM had a site visit and provided a full report of outstanding deficiencies that need to be rectified as per the contract requirements
86	Missing vents lines in some locations	Deficiency	8/1/2023	Contract Requirements
87	Non-freeze roof hydrant flashing does not match IFC drawing	Deficiency	7/3/2023	Contract Requirements
88	Gas pipe penetration does not match with IFC drawing	Deficiency	7/3/2023	Contract Requirements
89	WS-03 machine has not been installed correctly	Deficiency	7/3/2023	As per Contract Change 193, the unit was installed on the wrong location.
90	Verification for parts washer control panel at Jib Crane in basement	Deficiency	7/3/2023	As per the contract requirement 1m clearance is required.
91	All items that have been identified by the TTC plant maintenance	Deficiency	8/1/2023	Plant maintenance provided the list of items as a deficiency that has been provided to B&M for rectification

Note: The deficient items are not final as the construction is ongoing and the deficient list is subject to change.

Contractor Representative Signature and date

JUNE 15/23

