

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

Construction Act

City of Hamilton, Ontario

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

330 Wentworth Street N, Hamilton, Ontario L8L 5W2

(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:

C13-25-22: Tender for the Upgrade of Boiler and Condenser Units at 330 Wentworth Street North Operations Center

(short description of the improvement)

to the above premises was substantially performed on 31 May 2023 Deficiency List attached
(date substantially performed)

Date certificate signed: 28 June 2023



(payment certifier where there is one)

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

Name of owner: City of Hamilton

Address for service: 71 Main Street W, Hamilton, ON L8P 4Y5

Name of contractor: FXD Performance Contracting Inc.

Address for service: 188 Combe Avenue, Toronto, ON M3H 4K5

Name of payment certifier (where applicable): Dilip Roy, P.Eng.

Address: WSP E&I Canada Limited, 3450 Harvester Road, Burlington, ON., L7N 3W5

(Use A or B, whichever is appropriate)



A. Identification of premises for preservation of liens:

330 Wentworth St N, Hamilton, ON L8L 5W2 ; PIN: 171930043

(if a lien attaches to the premises, a legal description of the premises,
including all property identifier numbers and addresses for the premises)







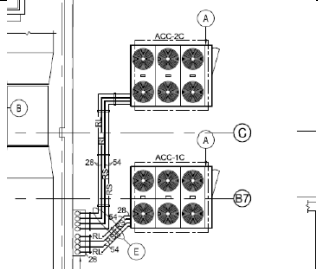

B. Office to which claim for lien must be given to preserve lien:

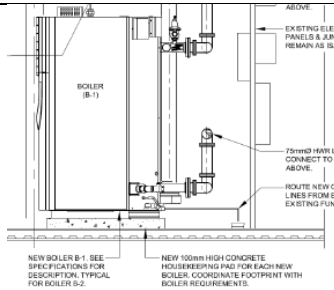

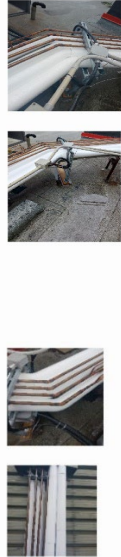
(if the lien does not attach to the premises, the name and address of the person or body to whom the claim for lien must be given)

C13-25-22 - Upgrade of Boiler and Condenser Units at 330 Wentworth Street Operations Center

List of Deficiencies as per Site Visit @ 330 Wentworth St N on May 29, 2023

S.no	Description	Status	CoH & WSP Comments as per Final Inspection Report	Status / Comments from FXD
1.	The boilers are not hooked up to the control system including BAS.	Open		Pending
2.	TSSA certification for new boilers to be provided by FXD.	Open Closed	FXD verbally informed that TSSA inspection was done on site but no paperwork has been provided to the City yet.	Completed
3.	O & M manual for boilers and UV lights to be provided by FXD.	Open Closed	Should be provided as part of close-out manual.	Completed
4.	Proper labelling to be provided for all new installed equipment as per Equipment Schedule on tender drawings.	Open Closed	Please refer to final Field Inspection Report from WSP.	Completed
5.	Insulate all refrigerant piping (indoors and outdoors)	Open Closed	Outdoor piping shall also be provided with jacketing. Refer to item	Completed

			14 for additional information.	
6.	Complete insulation for hydronic piping.	Open		Completed. Few spots left.
7.	Proper fittings to boiler exhaust / intake air lines to be provided.	Open		Pending
8.	Electrical panel schedule to be updated for new equipment installed.	Open		Completed. Labelling was completed but panel schedule was not updated.
9.	Outdoor units need proper labelling with respect to schedule.	Open Closed		Completed
10.	Control wiring to condenser units should be routed through flexible liquid tight conduits.	Open		Pending
11.	Refrigerant lines supports to be installed as per specification.	Open	Please refer to final Field Inspection Report from WSP.	Pending

12.	The 100 mm concrete housekeeping pad is missing. Deviation from the specification.	Open		Follow manufacturer's installation manual.
13.	All penetrations of refrigeration lines to AHU should be properly sealed / caulked.	Open		Pending
14.	PVC jacketing has spots outdoor and indoor near new boilers and a pump that are not properly sealed.	Open		Pending
15.	Two damaged UV lamps are still to be provided by FXD.	Open		Pending
16.	Final as built to include UV lamps system drawing and its locations.	Open		Pending