

**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)

15 Earl Haig Avenue, Toronto, ON, M4C 1E2

(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:

**Earl Haig Public School - Library Ceiling Replacement**

(short description of the improvement)

to the above premises was substantially performed on **September 8, 2023**

(date substantially performed)

Date certificate signed: **September 21, 2023**



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

Name of owner: **Toronto District School Board**

Address for service: **5050 Yonge Street, Toronto, ON, M2N 5N8**

Name of contractor: **Baycrest Project and Construction Management**

Address for service: **23 Railside Road, Unit #5 & #6, Toronto, ON, M3A 1B2**

Name of payment certifier (where applicable): **Harrison Duong Architects Incorporated**

Address: **58 Sandford Avenue, Toronto, ON, M4L 2E7**

(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:

**TDSB Facility Services, 15 Oakburn Crescent, Toronto, ON, M2N 2T5**

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

## Application for Certification of Substantial Performance

**Date:** 20-Sep-23

**To:** Harrison Duong Architects Inc.

**Regarding:** TDSB EARL HAIG- LIBRARY CEILING REPLACEMENT

We the undersigned state that the Contract Dated 21 OCTOBER 2022  
Between ourselves and the Owner TDSB is substantially  
performed and the performance of the balance of the contract is in progress. The total performance is  
scheduled for Sep 08 2023

We further state that the amount of holdback monies due for the release and payment following the  
issuance of the Certificate of Substantial Performance is;

Not Applicable at this time and / 100 Dollars  
**(\$0.00)**

We further state that the Status of the Contract is as follows:

- |    |   |                   |
|----|---|-------------------|
| 1. | Original Contract Amount  | \$151,680.00      |
| 2. | Changes to Date:  |                   |
|    | Extras  | \$3,630.00        |
|    | Credits   | \$0.00            |
|    | Net Amount of Changes   | \$3,630.00        |
| 3. | Current Contract Amount   | \$155,310.00      |
| 4. | Less value of incomplete work beyond the Contractor's control (see<br>attached Appendix A for list of items with costs and dates of completion)   | \$1,000.00        |
|    | Total Contract Value for the purposes of the Construction Lien Act  | \$154,310.00      |
| 5. | The requirements for substantial performance as per the Construction Lien Act:  |                   |
| 6. | 3% of the first \$500,000.00  | \$4,629.30        |
|    | 2% of the next \$500,000.00   | \$0.00            |
|    | 1% of the balance   | \$0.00            |
|    | <b>TOTAL</b>  | <b>\$4,629.30</b> |
| 7. | The estimated value of incomplete work including deficiencies but not including items in 4 above<br>(see attached Appendix B for list of items with amounts and dates of completion)      |                   |
|    | <b>TOTAL</b>  | <b>\$1,000.00</b> |
| 8. | We are currently assembling the documents on the list below and will furnish these items to the<br>payment certifier on receipt of the Architects Certificate of Substantial Performance. |                   |

- Complete Closeout Submission (pending)

Cheers,

Lakshmi Prakash



## Appendix A: Incomplete work beyond the contractors control

**Project:** TDSB EARL HAIG

Date of Inspection:

**Address:** 15 EARL HAIG AVE

**Floor/ Area:** n/a

**Date Issued:**

Item #	Area/Room #	Description	Trade/Contractor	Photo or #/ Tag	Anticipated Completion Date	Value
1	Library	FA verification	Fitzpatrick		10/4/2023	1000
					Total	\$1,000.00