



Engineering & Construction Services

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October 5, 2023

Mr. Ken Giovannelli
Gio Crete Construction Ltd.
101 Kenhar Drive
North York, ON, M9L 1N5

Dear Mr. Giovannelli,

**Re: Contract No. 22ECS-LU-06SU – Watermain and substandard water service
replacements on Palmerston Boulevard, Roxton Road, and Montrose Avenue
Substantial Performance Statutory Holdback Release Payment Certificate**

We are writing in response to your October 5, 2023, application for Certification of Substantial Performance for the above-noted contract. Please find attached our Certificate of Substantial Performance. As required by the Section 32(1) Paragraph 5 of the Construction Act, you are now required to publish a copy of the certificate in the manner set out in the regulations.

As per clause GC 5.6.1 of the City of Toronto's General Conditions, you are required to submit a Proper Invoice for the Lien Holdback at the conclusion of the 60 days following publication of the Certificate of Substantial Performance. In accordance with GC 5.6.3, payment of the Lien Holdback shall be made no later than fifteen (15) working days after our receipt of the Proper Invoice for the Lien Holdback, subject to the provisions of the Construction Act and the Agreement, including GC 5.6.4.

Should you have any questions regarding this matter, please contact Rajab Ali directly at 416-592-0682.

Yours truly,

Michael Popik, P.Eng.
Manager, Design & Construction
Linear Underground Infrastructure, Standalone Undergrounds

Attachments: Certificate of Substantial Performance of the Contract under Section 32 of the Act,
Form 9

Copy to: Contract File

ECS-CWP-47-CA2 – Rev. July 2020

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)

Palmerston Boulevard, Roxton Road, Montrose Avenue

(street address and city, town, etc., or, if there is no street address, the location of the premises)

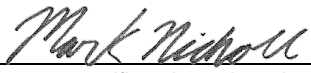
This is to certify that the contract for the following improvement:

Contract No. 22ECS-LU-06SU – Watermain and substandard water service replacements on Palmerston Boulevard, Roxton Road, and Montrose Avenue

(short description of the improvement)

to the above premises was substantially performed on **October 4, 2023**
(date substantially performed)

Date certificate signed: **October 4, 2023**


(payment certifier where there is one)

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

Name of owner: **City of Toronto**

City Clerk's Office, 13th Floor, West Tower, City Hall, 100 Queen Street West, Toronto,
Address for service: **Ontario M5H 2N2**

Name of contractor: **Gio Crete Construction Ltd.**

Address for service: **101 Kenhar Drive, North York, ON M9L 1N5**

Name of payment certifier (where applicable): **Mark Nicholl (GHD Ltd.)**

Address: **100 Milverton Dr, Suite 404, Mississauga, Ontario L5R 3G2**

(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:
Claims for Lien are to be submitted to the Clerk of the City of Toronto electronically as directed at
www.toronto.ca/liens.

(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)