



October 25, 2023

Morguard Corporation
St. Laurent Centre
1200 St. Laurent Blvd., Box 199
Ottawa, Ontario
K1K 3B8

ATTENTION: SCOTT RUSSELL, OPERATIONS MANAGER

**SUBJECT: CERTIFICATE OF SUBSTANTIAL PERFORMANCE
1200 ST. LAURENT BLVD. - BLOCK E - MAKE-UP AIR UNITS REPLACEMENT
GWAL PROJECT NO. 2022-318**

Please find attached Certificate of "Substantial Performance" for the above noted Project hereafter called the "Project".

In accordance with the Contract and the Construction Lien Act, the Work referred to as the Project reached Substantial Performance as defined below on June 14, 2023.

1. For the purposes of the Construction Lien Act, the part of the work is substantially performed,
 - (a) when the improvement to be made under that contract or a substantial part thereof is ready for use or is being used for the purposes intended; and
 - (b) when the improvement to be made under that contract is capable of completion or, where there is a known defect, correction, at a cost of not more than,
 - (i) 3 per cent of the first \$500,000.00 of the contract price,
 - (ii) 2 per cent of the next \$500,000.00 of the contract price, and
 - (iii) 1 per cent of the balance of the contract price. R.S.O. 1990, c. C.30, s. 2 (1).
2. For the purposes of this Act, where the improvement or a substantial part thereof is ready for use or is being used for the purposes intended and the remainder of the improvement cannot be completed expeditiously for reasons beyond the control of the contractor or, where the owner and the contractor agree not to complete the improvement expeditiously, the price of the services or materials remaining to be supplied and required to complete the improvement shall be deducted from the contract price in determining substantial performance. R.S.O. 1990, c. C.30, s. 2 (2).

The work which was completed by June 14, 2023 was ready and being used for the purpose intended and the value of work required to complete the work was less than the value as determined by the formula below:

$$\underline{\$286,450.00 \times 3\% = \$8,593.50}$$

The warranty for items completed prior to June 14, 2023 shall commence on June 14, 2023. Please provide a list of all warranties and relevant dates in the final operations and maintenance manuals for reference by the owner.

Yours very truly,

GOODKEY, WEEDMARK & ASSOCIATES LTD.



Lukas Drabik | Intermediate Mechanical Designer

LD/sm

e.c.: Scott Russell (Morguard Corporation)
Stjepan Stipanac (Morguard Corporation)
Lise St-Amour (Morguard Corporation)
Hanako Maholo (Morguard Corporation)
Jon MacDonald (Modern Niagara Ottawa Inc.)
Michael Racine (Modern Niagara Ottawa Inc.)
Robert Lefebvre (GWAL - Mechanical)
Lukas Drabik (GWAL - Mechanical)
Chris Leblanc (GWAL - Mechanical)
Richard Boivin (GWAL - Electrical)
Aida Kardgar (GWAL - Electrical)
Roger Lavictoire (GWAL - Electrical)

Enclosure(s): Form 9 – Certificate of Substantial Performance – One (1) page

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

Construction Act

Ottawa, Ontario

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

1200 St. Laurent Blvd., Ottawa, Ontario, K1K 3B8

(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:

1200 St. Laurent Blvd. - Block E - Make-Up Air Units Replacement

(short description of the improvement)

to the above premises was substantially performed on June 14, 2023

(date substantially performed)

Date certificate signed: 2023-10-25



(payment certifier where there is one - signature required)

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

Name of owner: Scott Russell, Morguard Corporation

Address for service: 1200 St. Laurent Blvd., Box 199 Ottawa, Ontario K1K 3B8

Name of contractor: Josh Frey, Modern Niagara Ottawa Inc.

Address for service: 85 Denzil Doyle Court Ottawa Ontario K2M 2G8 Canada

Name of payment certifier (where applicable): Lukas Drabik, Goodkey, Weedmark & Associates Ltd.

Address: 1688 Woodward Drive, Ottawa, Ontario, K2C 3R8

(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:

Morguard Corporation, St Laurent Shopping Centre, 1200 St Laurent Blvd, Ottawa, Ontario

(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)