



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

City of Marham

(Country/District or Regional Municipality/City or Borough of Municipality of Metropolitan Toronto in which premises are situated)

50 Randall Ave, Markham, Ontario L3S 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:

YRDSB - Randall Public School – Renovation Project

(short description of the improvement)

to the above premises was totally performed on November 15, 2023
(substantially performed)

NGA ARCHITECTS

220 Duncan Mill Road, Suite 319, Toronto, Ontario M3B 3J5

Date certificate signed

November 20, 2023

PER

NAME OF OWNER: York Region District School Board

ADDRESS FOR SERVICE: 1260 Gorham Street, Newmarket, Ontario, L3Y 8W4

NAME OF CONTRACTOR: Deciantis Construction Limited

ADDRESS FOR SERVICE: 6 – 11 PAISLEY LANE UXBRIDGE, Ontario L9P 0G5

NAME OF PAYMENT CERTIFIER: NGA Architects

ADDRESS: 220 Duncan Mill Road, Suite 319, Toronto, Ontario, M3B 3J5

A. Identification of premises for preservation of liens:

(where liens attach to premises, reference to lot and plan or instrument registration number)

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

1260 Gorham Street, Newmarket, Ontario, L3Y 8W4

(where liens do not attach to premises)

THE DAY FOLLOWING THE DATE OF PUBLICATION OF THIS CERTIFICATE SHALL BE THE COMMENCEMENT OF THE PERIOD FOR REGISTRATION OF CONSTRUCTION LIENS. THE CONTRACTOR AND HIS SUBCONTRACTORS SHALL CONTINUE TO WORK TOWARDS TOTAL COMPLETION OF THE CONTRACT DURING THIS PERIOD, PROVIDED NO LIENS ARE REGISTERED. HOLDBACK MONIES, LESS AN AMOUNT TO ENSURE COMPLETION OF THE WORK IN ACCORDANCE WITH ABOVE, ARE DUE AND PAYABLE ONE DAY AFTER TERMINATION OF THIS PERIOD. THE ISSUANCE OF THIS CERTIFICATE DOES NOT RELEASE THE CONTRACTOR OR ANY SUBCONTRACTOR FROM THE DUTY OF COMPLETING THE WORK PURSUANT TO THE TERMS OF THE CONTRACT.

November 15, 2023

NGA Architects
220 Duncan Mill Road, #319
Toronto, ON M3B 3J5
Attention: Ms. Ivana Paukovic

Re: Air conditioning retrofit at Randall P.S.

Dear Ms. Paukovic,

In compliance with the Construction Act of the Province of Ontario and in particular, Article 2 (1) of the Act, please consider this as our formal application for "Substantial Performance" of the contract for the above referenced project, effective immediately.

The application is made on the following criteria:

The work yet to be performed under the contract or a substantial part thereof, will meet the criteria of the 3%, 2% and 1% rule calculation of the contract price as follows:

3% of the first \$ 1,000,000 – contract value \$2,873,000	\$ 30,000.00
2% of the next \$1,000,000	\$ 20,000.00
1% of the contract balance	<u>\$ 8,730.00</u>
Total of allowable outstanding work	\$ 58,730.00

Contract value	\$ 2,873,000.00
Less work completed to date	\$ 2,577,801.35
Less unspent contingency allowance	\$ 142,900.30
Less unspent cash allowance	<u>\$ 129,298.35</u>
Total of outstanding work	\$ 23,000.00

Based on the above calculations, please consider this submission as our formal application for SUBSTANTIAL PERFORMANCE of the contract.

- As built drawings, operation manuals, spare parts and similar data as required will be delivered within 60 days from Substantial Completion

Trusting this is satisfactory we remain,

Yours truly,
DECIANTIS CONSTRUCTION LIMITED

John Deciantis
/kg