

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

Construction Act

Milton, ON

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

400 Chisholm Dr, Milton, ON L9T 5V6

(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:

6MW Power Generation Installation

(short description of the improvement)

to the above premises was substantially performed on September 6th 2023 ^{*see*}
(date substantially performed)

Date certificate signed: October 24th 2023 ^{*see*}

(payment certifier where there is one)

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

Name of owner: Public Energy Gas 6 Inc.

Address for service: 101 College Street, Suite 200, Toronto, ON M5G 1L7

Name of contractor: T&T POWER GROUP INC.

Address for service: 1430 Hutchison Road, Wellesley, ON N0B 2T0

Name of payment certifier (where applicable): N/A

Address: N/A

(Use A or B, whichever is appropriate)

☒ A. Identification of premises for preservation of liens:

PIN - 24975-0125 LT - 400 Chisholm Dr, Milton, ON L9T 5V6

(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, 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)

October 26th, 2023

Attention: Jordan McDonald, Project Manager, Public Energy

Regarding: Modatek Systems, Notice of Substantial Performance

Hi Jordan,

This letter serves as notification that T&T Power Group Inc. has achieved substantial performance of the aforementioned project. The date on which substantial performance was achieved was September 30th, 2023.

This notice recognizes the following;

The provisions of the Ontario Construction Act, R.S.O. 1990, c. C.30 stipulate as follows.

2 (1) For the purposes of this Act, a contract 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 \$1,000,000 of the contract price,

(ii) 2 per cent of the next \$1,000,000 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); 2017, c. 24, s. 4 (1, 2).

The project is available for use as intended. In addition, we have provided the supporting calculation confirming we have met substantial completion;

Public Energy Gas 6 Inc.**Modatek - Substantial Completion Calculation**

Certified Contract Sum to Date	10,121,723.39
--------------------------------	---------------

3% of First \$1M	30,000.00
------------------	-----------

2% of Second \$1M	20,000.00
-------------------	-----------

1% of remaining portion	81,217.23
-------------------------	-----------

	131,217.23
--	------------

Financial Test (Lien Act)	
---------------------------	--

Outstanding work to be done under the contract at Sept 30th, 2023	64,341.57
--	-----------

All remaining deficiencies will be completed in short order. With your agreement, we request that you issue the Certificate of Substantial Performance dated September 30th, 2023.

Thank-you Jordan,

Tyler Van Dyke

**President
T&T Power Group**

[GENERATORS](#) | [DRIVES](#) | [SWITCHGEAR](#)
[CONTROLS](#) | [RENTALS](#) | [SERVICE](#)

Book your rentals now for summer 2023!

Office: 1-800-221-3432 Ext. 226
1430 Hutchison Road, Wellesley, ON, N0B 2T0
ttpowergroup.com | [unsubscribe](#)