



JACOBS.  
245 Consumers Road, Suite 400  
Toronto, ON M2J 1R3  
Canada  
O 416 499 9000  
F 416 499 4687  
www.jacobs.com

**Sent via Email (tleeming@capitalsewer.com)**

November 29, 2023

Capital Sewer Services Inc.  
31 Keyes Crt.  
Woodbridge, ON L4H 4V6

Attention: Mr. Tyler Leeming  
Project Manager

Dear Mr. Leeming,

**CITY OF TORONTO CONTRACT NO. 21ECS-LU-07TT: City of Toronto West Humber Sanitary Trunk Sewer Rehabilitation.**

#### **CERTIFICATE OF SUBSTANTIAL PERFORMANCE**

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On behalf of the City of Toronto, we are writing in response to your November 17, 2023, application letter for Certification of Substantial Performance for the above-noted contract. Please find attached the City's Certificate of Substantial Performance. As required by the Section 32(1) Paragraph 5 of the Construction Lien Act, you are now required to publish a copy of the certificate in a construction trade newspaper including placement in the Daily Commercial News.

The Substantial Performance Statutory Holdback Release Payment Certificate shall be due in accordance with Schedule "D", clause 5.6 of the City of Toronto's General Conditions of Contract after the publication of the Certificate of Substantial Performance but subject to the provisions of the Construction Lien Act and the submission by the Contractor of the following documents:

- (i) a Release and Waiver of Contractor.
- (ii) a Statutory Declaration of Contractor.
- (iii) a satisfactory Certificate of Clearance from the Workplace Safety and Insurance Board; and
- (iv) proof of publication of the Certificate of Substantial Performance.

Should you have any questions regarding this matter, please contact me directly at 437-780-2300

Yours Truly,  
JACOBS

Eismat Abdalla  
Contract Administrator

Attachments: - Certificate of Substantial Performance,  
- Release and Waiver of Contractor,  
- Statutory Declaration of Contractor.

CH2M is now Jacobs.

Copy to:        Contract File; Mustafa Mufty, City of Toronto  
                     Shivan Narine, City of Toronto  
                     Shawn Dean, Jacobs

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

*Construction Act*

City of Toronto, Province of Ontario

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

CITY OF TORONTO CONTRACT NO. 21ECS-LU-07TT: City of Toronto West Humber Sanitary Trunk Sewer Rehabilitation

(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:

West Humber Sanitary Trunk Sewer Rehabilitation between MH334-042-1 and MH334-049-1.

(short description of the improvement)

to the above premises was substantially performed on November 27, 2023

(date substantially performed)

Date certificate signed: November 29, 2023



(payment certifier where there is one)

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

Name of owner: City of Toronto, Engineering and Construction Services

Address for service: Address for service Metro Hall, 20th Floor, 55 John Street, Toronto ON M5V 3C6

Name of contractor: Capital Sewer Services Inc.

31 Keyes Crt.

Address for service: Woodbridge, ON L4H 4V6

Name of payment certifier (where applicable): Eismat Abdalla, Contract Administrator

Address: CH2M (Now Jacobs), 245 Consumers Road, Toronto ON M2J 1R3

(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](http://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)