



17 January 2024

21006

Ottawa Catholic School Board ,
 570 West Hunt Club Rd,
 Nepean ,ON.
 K2G 3R4

Attention: Donald Wood, Architectural Project Officer,

Frecon Construction Ltd,
 1235 S Russel Rd, PO Box 278,
 Russell,ON.
 K4R 1E1

Attention: Paul Mascarenhas, Project Manager

Re: OCSB Fernbank #1 Elementary School
CERTIFICATE OF SUBSTANTIAL PERFORMANCE

Attached please find the Certificate of Substantial Performance, Form 9, for the above project. This certificate is issued based on our inspection of the premises, as well as inspections carried out by the various other consultants and, as per the Construction Act, the following calculations:

Original Contract Price		\$ 17,443,000.00
Change Orders		\$ 271,404.09
Revised Contract Price		\$ 17,714,404.09
Due to circumstances beyond the Contractor's control not all work can be completed at this time as noted below:		
		-
Solar Panel Connection due to Hydro Strike		86,250.46
The value of work that cannot be completed is		86,250.46
Therefore, the contract price subject to Substantial Performance is:		17,628,153.63
Substantial Performance Calculations:		
3% of the 1st \$ 1,000,000.00		\$ 30,000.00
2% of the 2nd \$ 1,000,000.00		\$ 20,000.00
1% of balance of	\$ 15,628,153.63	\$ 156,281.54
Therefore, the total value of deficiencies and incomplete work permitted to obtain substantial performance EQUALS:		\$ 206,281.54

Therefore, the value of work completed to obtain substantial performance equals:

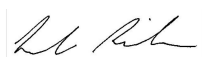
Value of contract subject to calculation		\$ 17,628,153.63
Less value of deficiencies and incomplete work permitted		\$ 206,281.54
Equals value of contract to obtain substantial performance		\$ 17,421,872.09
Value of Work completed based on		
Contract Value dated 12 January 2024		\$17,478,632.17

Since the Value of the Work Completed exceeds the value of contract to obtain substantial performance, and the building can be used for the use intended, the Certificate of Substantial Performance has been issued.

It is the contractor's responsibility to publish this Certificate in a trade newspaper and the date of this publication shall be the starting date for the 60 day lien period.

The date of Substantial Performance shall be the starting date for all warranties.

Sincerely,



Isabel Richer, M.Arch, OAA, MRAIC
PYE & RICHARDS – TEMPRANO & YOUNG ARCHITECTS INC.

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

Construction Act

City of Ottawa

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

60 Defence Street, Stittsville, ON, K2V 0N3

(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:

OCSB Fernbank Elementary School (St. Bernadette School)

(short description of the improvement)

to the above premises was substantially performed on **17 January 2024**

(date substantially performed)

Date certificate signed: **17 January 2024**



(payment certifier where there is one)

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

Name of owner: **Ottawa Catholic School Board**

Address for service: **570 West Hunt Club Road, Nepean, ON, K2G 3R4**

Name of contractor: **Frecon Construction Ltd**

Address for service: **1235 S Russel Road, PO box 278, Russell, ON, K4R 1E1**

Name of payment certifier (where applicable): **Pye & Richards - Temprano & Young Architects Inc.**

Address: **Suite 200, 824 Meath Street, Ottawa, Ontario. K1Z 6E8**

(Use A or B, whichever is appropriate)

A. Identification of premises for preservation of liens:

Block 95, Registered Plan 4M-1608, City of Ottawa

(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, the name and address of the person or body to whom the claim for lien must be given)