

SCHEDULE 9.1(b)


CONFIRMATION OF SUBSTANTIAL COMPLETION

To: QM LP 5155 Spectrum Way, Unit 8 Mississauga, Ontario L4W 5A1 Attention: Michael Bailey Email: Michael.Bailey@QMenv.com	Contract: The EPC agreement for the Lambton Environmental Decommissioning – Phase 3 Project (the “ Agreement ”) Contract No.: 50005792 Date: January 2, 2024
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Defined terms used in this Notice have the same meanings given to those terms in the Agreement. OPG has determined that:

(a)	Substantial Completion has occurred effective November 2, 2023; or	<input checked="" type="checkbox"/>
(b)	Substantial Completion of Gate #● has not occurred for the reasons set out in Appendix A.	<input type="checkbox"/>

ONTARIO POWER GENERATION INC.

By: 
Name: Tranal Chow
Title: Senior Manager, Projects

Our ref: 11205096

02 January 2024

Tranal Chow
Senior Manager, Projects | Renewable Generation Major Projects
Ontario Power Generation (OPG)
800 Kipling Avenue
Toronto, Ontario, M8Z 5G5

Re: Engineering, Procurement and Construction Agreement CO# 50005792

Dear Mr. Chow,

GHD confirms that QM LP (hereinafter referred to as "Contractor") has fulfilled the requirements for Substantial Completion as outlined in Section 9 of the Engineering, Procurement and Construction Agreement CO# 50005792. The Contractor has adhered to the conditions specified in Schedule 9.1(a) and has demonstrated compliance with the stipulated criteria for Substantial Completion.

The Substantial Completion criteria, as set forth in Section 9.1(a), have been met as follows:

- **Notice of Ready for Use:** The Contractor has submitted the Notice of Ready for Use, including a comprehensive punch list of Punch List Items, in accordance with Schedule 9.1(a).
- **Substantial Performance:** The Work has achieved "substantial performance" as defined in the Construction Act.
- **Project Readiness:** The Project is now at a stage where it is ready for safe use as intended, meeting the requirements specified in the Agreement.
- **Cost to Finish Work:** The remaining cost to finish the Work and correct any known Defective parts does not exceed \$100,000.
- **Approvals:** The Contractor has obtained and delivered to Ontario Power Generation (OPG) all required Approvals under Section 2.7(c).
- **Commissioning and Testing:** The Project has been commissioned, successfully passing all tests outlined in the Specifications.
- **Continuous Operation:** The Project has operated in accordance with the Specifications for a continuous period of at least 72 hours, meeting all material obligations under the Specifications.
- **Documentation and Training:** The Contractor has delivered all required design, operating, and maintenance documentation, along with the necessary training to support operation.
- **Certified Reports:** The Contractor has delivered copies of all certified reports of the performance tests as described in Section 9.1(a).

Following the joint inspections carried out on October 5, 2023 and November 2, 2023, in accordance with Section 9.1(b), we are confident that Substantial Completion criteria have been met. The Final Punch List, as attached to the Substantial Completion letter, accurately reflects the outstanding items, which the Contractor is committed to finishing or correcting before final payment is made under the Final Application for Payment.

Based on the above verification, OPG may now exclude the Contractor from the Site, in whole or in part, as outlined in Section 9.1(d) and sign the certificate of substantial performance as contemplated by Section 32(1)1 of the Construction Act.



Nishant Patel, P.Eng.
Water Resources Engineer

+1 519 340-3842
Nishant.Patel@ghd.com

Copy to: Bilal Mohammad, Ontario Power Generation
Jason Bergsma, P. Eng., GHD

Final Punch List

Areas	Completed	Notes	Value
0100 - Clean up and demob (Section G)			\$ 21,000.00
Repair south rail gate and post	x	Electrical complete, waiting on parts for sensor, secure bollard	
Deficiencies as per GHD			\$ 1,000.00
Final Topograph Survey		Red-lines drawings/as-built drawing.	\$ 20,000.00
Demobilization / removal of infrastructure			\$ -

Final Punch List

Areas	Completed	Notes	Value
0100 - Clean up and demob (Section G)			\$ 1,000.00
Removal all Electrical from Gate 5 pole		Tuesday Oct 3rd	\$ 1,000.00
Fiber Optic Line in Detention Pond Area		Mark to verify repair date	

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

Construction Act

_____ ,
Lambton ON

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

_____ ,
1886 St. Clair Pkwy, Courtright ON, N0N 1H0

(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:

_____ ,
OPG Lambton Phase 3 - Environmental Decommissioning of the Lambton Generating Station, Courtright ON

(short description of the improvement)

to the above premises was substantially performed on Nov 2nd, 2023 .
(date substantially performed)

Date certificate signed: Jan 2nd, 2024

(payment certifier where there is one)

_____ ,
Owner - OPG; Contractor - QM LP

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

Name of owner: OPG

Address for service: 800 Kipling Ave, Toronto ON, M8Z 6M9

Name of contractor: QM LP

Address for service: 200 - 5035 South Service Rd, Burlington ON, L7L 6M9

Name of payment certifier (where applicable): _____

Address: _____

(Use A or B, whichever is appropriate)

A. Identification of premises for preservation of liens:

1886 St. Clair Pkwy, Courtright ON, N0N 1H0

(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)