

FIGUR3

18 March 2024

Devlan Construction Ltd.
54 Monarch Road
Guelph, ON
N1K 1S3

Dear: Greg Lee

**Re: McKenzie Lake Lawyers
100 Stone Road W., Suite 300
Guelph, ON
Permit No: 23 001285**

We enclose a copy of the Certificate of Substantial Performance issued in accordance with the requirements of the Construction Act of Ontario.

The Contractor is required to publish this in the Daily Commercial News within 7 days from the issue date on the Certificate of Substantial Performance. The sixty day lien period commences from the date of publishing. On expiry of the lien period the statutory holdback will become payable.

Additionally, this certificate establishes the date of Substantial Performance of the Contract. This date is the commencement of Contract guarantees except where other dates may be agreed for specific items.

Best Regards,



Jamie Gruenwald
Senior Team Leader
Figure3 (BCIN 28735)

cc
Eric Yorath, Figure3
Natalia Foppa, Figure3
Dianne Elliott, McKenzie Lake Lawyers
Doug McLean, McKenzie Lake Lawyers

FORM 9

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

City of Guelph, Canada

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

100 Stone Road W., Guelph, ON, N1G 2A4

.....
(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:

Interior Office Alterations for the 3rd floor

.....
(short description of the improvement)

to the above premises was substantially performed on**31 JANUARY 2024**
(date substantially performed)

Date certificate signed: **18 MARCH 2024**

JAMIE GRUENWALD



.....
(payment certifier c/o **FIGURE3**)

Name of owner: **MCKENZIE LAKE LAWYERS**

Address for service: **100 STONE ROAD WEST, GUELPH, ON, N1G 2A4, SUITE 300**

Name of contractor: **DEVLAN CONSTRUCTION LTD.**

Address for service: **54 MONARCH ROAD, GUELPH, ON, N1K 1S3**

Name of payment certifier (where applicable): **FIGURE3**

Address: **200 University Avenue, Suite 200, Toronto, Ontario, M5H 3C6**

(Use A or B, whichever is appropriate)

A. Identification of premises for preservation of liens:
100 Stone Road W., Guelph, ON, N1G 2A4

.....
(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)

DEVLAN CONSTRUCTION LTD.

APPLICATION FOR CERTIFICATE OF SUBSTANTIAL PERFORMANCE

DATE: January 31, 2024

TO: Figure3

RE: McKenzie Lake Lawyers Office Renovation

We the undersigned state that the Contract dated May 31, 2023 between Devlan Construction Ltd and McKenzie Lake Lawyers is substantially performed as of January 31, 2024.

We further state that the amount of holdback monies due for the release and payment following the issue of the Certificate of Substantial Performance is \$126,605.11.

We further state that the Status of Contract is as follows:

Original Contract Amount:	\$1,269,518.00
Authorized changes against the Original Contract to a total of :	\$ 7,890.03
Total Contract Price at Date of Substantial Performance:	\$1,277,408.03

The requirements for substantial performance as per the Construction Act is as follows:

(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,

- 3% of the first \$1,000,000.00 of Total Contract Price:	\$ 30,000.00
- 1% of the balance of the Total Contract Price:	<u>\$ 2,774.08</u>
TOTAL:	\$ 32,774.08

The estimated value of incomplete work including deficiencies is as follows:

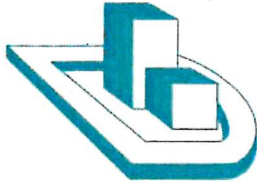
- Manuals and Record Drawing submission.	\$ 3,997.50
- Outstanding deficiencies and remaining work as listed in the attached list:	\$ 4,266.00
- Overhead & Profit on remaining amount to be invoiced	\$ 743.99
-	
TOTAL:	\$ 9,007.49

Based on the calculations above, we claim the Work to be substantially complete as per the Construction Act of Ontario, and request that the Certificate for Substantial Performance be issued for the date listed herein.

Best Regards,

Greg Lee
Project Manager

c.c.
Dianne Elliott McKenzie Lake Lawyers
Doug McClean McKenzie Lake Lawyers



DEVLAN

CONSTRUCTION LTD.

INVOICE

PROJECT: MCKENZIE LAKE LAWYERS OFFICE RENOVATION
100 STONE ROAD, SUITE 300

DATE: January 31, 2024
DUE DATE: February 15, 2024

DEVLAN PROJECT: D-342

BILL TO: MCKENZIE LAKE LAWYERS LLP
SUITE 300, 100 STONE ROAD WEST
GUELPH, ONTARIO
N1G 5L3

INVOICE # 6222

DESCRIPTION	AMOUNT
Attention: Accounts Payable / MICHAEL PEERLESS Devlan Construction Project D-342	
AS PER ATTACHED	
Progress Draw # 9	100,848.73
Less 10% Holdback	(10,084.87)

H.S.T. # R101370062

Please make all cheques payable to Devlan Construction Ltd.

THANK YOU FOR YOUR BUSINESS!

SUBTOTAL	\$	90,763.86
TAX RATE	13%	
SALES TAX H.S.T.	\$	11,799.30
OTHER		
TOTAL	\$	102,563.16

INTEREST: BASED ON RATES FROM BUSINESS DEVELOPMENT BANK OF CANADA
2% PER ANNUM ABOVE THE BANK RATE
INTEREST SHALL BE COMPOUNDED ON A MONTHLY BASIS

TO: MCKENZIE LAKE LAWYERS LLP
 SUITE 300, 100 STONE ROAD WEST
 GUELPH, ONTARIO
 N1G 5L3

DRAW: 9
DATE: January 31, 2024
DUE DATE: February 15, 2024
H.S.T. NO.: R101370062

ATTENTION: MICHAEL PEERLESS

PROJECT: MCKENZIE LAKE LAWYERS OFFICE
 100 STONE ROAD, SUITE 300

DEVLAN NO.: D-342

ORIGINAL CONTRACT AMOUNT:	1,269,518.00 + H.S.T.	165,037.34	1,434,555.34
APPROVED CHANGE ORDERS (AGGREGATE AMOUNT)	7,890.03 + H.S.T.	1,025.70	8,915.73
PRESENT CONTRACT AMOUNT:	1,277,408.03 + H.S.T.	166,063.04	1,443,471.07

REQUEST FOR PROGRESS PAYMENT

TOTAL VALUE OF WORK PERFORMED TO DATE:	1,266,051.14 + H.S.T.	164,586.65	1,430,637.79
LESS AMOUNT PREVIOUSLY CERTIFIED:	1,165,202.41 + H.S.T.	151,476.31	1,316,678.72
AMOUNT OF THIS APPLICATION:	100,848.73 + H.S.T.	13,110.34	113,959.07
LESS 10% HOLDBACK:	10,084.87 + H.S.T.	1,311.03	11,395.91
PROGRESS PAYMENT AMOUNT NOW DUE: \$	90,763.86 + H.S.T.	\$ 11,799.30	\$ 102,563.16

REQUEST FOR HOLDBACK RELEASE

10% HOLDBACK ON TOTAL WORK PERFORMED:	\$ 126,605.11 + H.S.T.	\$ 16,458.66	\$ 143,063.78
LESS HOLDBACK PREVIOUSLY RELEASED:	- + H.S.T.	-	-
HOLDBACK AMOUNT NOW DUE:	- + H.S.T.	-	-
TOTAL AMOUNT NOW DUE AND PAYABLE: \$	90,763.86 + H.S.T.	\$ 11,799.30	\$ 102,563.16

DEVLAN CONSTRUCTION LTD.

MCKENZIE LAKE LAWYERS OFFICE RENOVATION
 DEVLAN PROJECT NO. D-342
 PROGRESS DRAW NO. 9

DESCRIPTION	CONTRACT VALUE	CERTIFIED COMPLETED TO DATE	TOTAL %	TOTAL AMOUNT COMPLETED THIS PERIOD	TOTAL %	PREV. AMOUNT COMPLETED AS OF LMTD	TOTAL %
SITE SUPERVISOR	100,800.00	100,800.00	100%	3,024.00	3%	97,776.00	97%
CONSTRUCTION SIGNS	250.00	250.00	100%	-	0%	250.00	100%
TEMP POWER/LIGHTING ETC	5,000.00	5,000.00	100%	150.00	3%	4,850.00	97%
TEMP CONVENIENCE	2,100.00	2,100.00	100%	63.00	3%	2,037.00	97%
SMALL TOOLS/EQUIP	1,500.00	1,500.00	100%	-	0%	1,500.00	100%
FINAL CLEAN-UP	5,000.00	5,000.00	100%	750.00	15%	4,250.00	85%
BLUEPRINTING	1,000.00	1,000.00	100%	-	0%	1,000.00	100%
SAFETY/TEMP HOARDING	5,000.00	5,000.00	100%	-	0%	5,000.00	100%
MISC EXPENSES	1,250.00	1,250.00	100%	-	0%	1,250.00	100%
MISC LABOUR/CLEAN-UP	80,640.00	80,640.00	100%	1,612.80	2%	79,027.20	98%
GARBAGE REMOVAL	20,000.00	20,000.00	100%	400.00	2%	19,600.00	98%
MISC HOISTING	10,000.00	10,000.00	100%	-	0%	10,000.00	100%
ELEVATOR, FLOORING PROTEC	5,000.00	5,000.00	100%	-	0%	5,000.00	100%
TEMP STAGING AREA HOARDIN	10,000.00	10,000.00	100%	-	0%	10,000.00	100%
BUILDERS RISK/LIABILITY	10,000.00	10,000.00	100%	-	0%	10,000.00	100%
SUBSTANTIAL PERFORMANCE	500.00	-	0%	-	0%	-	0%
CASH ALLOWANCES							
	-	-	0%	-	0%	-	0%
DATA/COMMUNICATIONS	20,000.00	20,000.00	100%	20,000.00	100%	-	0%
SECURITY SYSTEMS	10,000.00	10,000.00	100%	10,000.00	100%	-	0%
ROOF PATCHING	10,000.00	10,000.00	100%	10,000.00	100%	-	0%
COMPANY LOGO SIGN	5,000.00	3,500.00	70%	3,500.00	70%	-	0%
	-	-	0%	-	0%	-	0%
SITWORK							
DEMOLITION	75,000.00	75,000.00	100%	-	0%	75,000.00	100%
	-	-	0%	-	0%	-	0%
CONCRETE WORK							
CONCRETE FLOOR PATCHING	10,000.00	10,000.00	100%	-	0%	10,000.00	100%
	-	-	0%	-	0%	-	0%
	-	-	0%	-	0%	-	0%
METALS							
MISC STEEL/MILLWORK BRACK	2,500.00	2,500.00	100%	-	0%	2,500.00	100%
	-	-	0%	-	0%	-	0%
CARPENTRY							
ROUGH CARPENTRY	5,000.00	5,000.00	100%	-	0%	5,000.00	100%
FINISH CARPENTRY	2,500.00	2,500.00	100%	250.00	10%	2,250.00	90%
MILLWORK/COUNTERTOPS	201,775.00	201,775.00	100%	20,177.50	10%	181,597.50	90%
M10 CORRIDOR CABINET DRS	5,000.00	5,000.00	100%	-	0%	5,000.00	100%
METAL FRAME IN LOUNGE 341	10,000.00	10,000.00	100%	1,000.00	10%	9,000.00	90%
	-	-	0%	-	0%	-	0%
	-	-	0%	-	0%	-	0%
THERMAL & MOIST PROTECT							
CAULKING/FIRESTOPPING	10,000.00	10,000.00	100%	500.00	5%	9,500.00	95%
	-	-	0%	-	0%	-	0%

DOORS AND WINDOWS

REMOVE & INSTALL DRS/HW	15,000.00	15,000.00	100%	-	0%	15,000.00	100%
FALK BUILT OFFICE ENT SYSTEM	79,193.00	79,193.00	100%	-	0%	79,193.00	100%
APPLIED FROST FILM	1,155.00	1,155.00	100%	-	0%	1,155.00	100%

FINISHES

CERAMIC TILE	29,660.00	29,660.00	100%	-	0%	29,660.00	100%
MISC FLOORING LEVELING	5,000.00	5,000.00	100%	-	0%	5,000.00	100%
CARPET TILE/SHEET VINYL	78,600.00	78,600.00	100%	19,650.00	25%	58,950.00	75%
PAINTING	28,300.00	28,300.00	100%	2,830.00	10%	25,470.00	90%
DRYWALL/INSUL/ACOUSTIC CE	74,822.00	74,822.00	100%	1,496.44	2%	73,325.56	98%
	-	-	0%	-	0%	-	0%
	-	-	0%	-	0%	-	0%

SPECIALTIES

SIGNAGE (MISC)	1,500.00	1,500.00	100%	-	0%	1,500.00	100%
TACK BOARDS	454.00	454.00	100%	-	0%	454.00	100%
GARBAGE RECYCLE BINS	1,000.00	1,000.00	100%	-	0%	1,000.00	100%
WINDOW BLINDS/BLACKOUT	10,880.00	10,880.00	100%	-	0%	10,880.00	100%
	-	-	0%	-	0%	-	0%

FURNITURE

UNDERCOUNTER FRIDGE	350.00	-	0%	-	0%	-	0%
	-	-	0%	-	0%	-	0%

MECHANICAL

PLUMBING SYSTEM/HVAC	79,950.00	75,952.50	95%	-	0%	75,952.50	95%
FIRE PROTECTION	13,590.00	13,590.00	100%	-	0%	13,590.00	100%

ELECTRICAL

ELECTRICAL WORK	142,196.00	137,930.00	97%	-	0%	137,930.00	97%
OVERHEAD & PROFIT (7%)	83,053.00	82,309.61	94%	28,287.22	5%	54,022.39	89%

	-	-	-	-	-	-	-
	-	-	-	-	-	-	-
	-	-	-	-	-	-	-
	-	-	-	-	-	-	-

SUBTOTAL	1,269,518.00	1,258,161.11		123,690.96		1,134,470.15	
H.S.T.	165,037.34	163,560.94		16,079.82		147,481.12	
BASE CONTRACT TOTAL	1,434,555.34	1,421,722.05		139,770.78		1,281,951.27	
TOTAL CHANGE ORDERS	7,890.03	7,890.03		(22,842.23)		30,732.26	
PRESENT CONTRACT TOTAL	1,277,408.03	1,266,051.41		100,848.73		1,165,202.41	

MCKENZIE LAKE LAWYERS OFFICE RENOVATION
 DEVLAN PROJECT NO. D-342
 PROGRESS DRAW NO. 9

CHANGE ORDERS

C.O. NO.	DESCRIPTION	CONTRACT VALUE	CERTIFIED COMPLETED TO DATE	TOTAL %	TOTAL AMOUNT COMPLETED THIS PERIOD	TOTAL %	PREV AMOUNT COMPLETED AS OF LMTD	TOTAL %
C.O.1	CEILING FRAMING/DRYWALL	2,571.21	2,571.21	100%	-	0%	2,571.21	100%
C.O.2	MASTER SWITCH/FLOOR BOXES	2,170.22	2,170.22	100%	-	0%	2,170.22	100%
C.O.3	L7GL4/GLAZING FILM	18,961.25	18,961.25	100%	-	0%	18,961.25	100%
C.O.4	FIRE RATED BULKHEAD	2,391.45	2,391.45	100%	-	0%	2,391.45	100%
C.O.5	MEETING ROOM ACCOUSTIC WALL	19,064.19	19,064.19	100%	17,157.77	90%	1,906.42	10%
C.O.6	REV. APP LOCATIONS	1,346.06	1,346.06	100%	-	0%	1,346.06	100%
C.O.7	NEW WINDOW FILM	1,385.65	1,385.65	100%	-	0%	1,385.65	100%
C.O.8	CASH ALLOWANCE ADJUST	(40,000.00)	(40,000.00)	100%	(40,000.00)	100%	-	0%
C.O.9		-	-	0%	-	0%	-	0%
C.O.10		-	-	0%	-	0%	-	0%
C.O.11		-	-	0%	-	0%	-	0%
C.O.12		-	-	0%	-	0%	-	0%
C.O.13		-	-	0%	-	0%	-	0%
C.O.14		-	-	0%	-	0%	-	0%
C.O.15		-	-	0%	-	0%	-	0%
C.O.16		-	-	0%	-	0%	-	0%
C.O.17		-	-	0%	-	0%	-	0%
C.O.18		-	-	0%	-	0%	-	0%

TOTAL CHANGE ORDERS	7,890.03	7,890.03	100%	(22,842.23)	30,732.26	0.6417
PRESENT CONTRACT TOTAL (EXCL. H.S.T.)	1,277,408.03	1,266,051.14	99%	100,848.73	-	1,165,202.41