

PETROFF

October 22, 2024

Mr.
Michael Messoro
Senior Project Manager
Square One Shopping Centre
100 City Centre Drive
Mississauga, Ontario
L5B 2C9

Re: Certification of Substantial Performance
SQ1 – Landlorwork for Zara
PPA Project No. 23064

Dear Mr. Messoro,

In accordance with Section 32 of the Construction Act, R.S.O. 1990, c.C.30, we have certified that Shurway Contracting Ltd. had substantially performed the work of above noted project on October 07, 2024. Enclosed herewith is a Certificate of Substantial Performance, a copy of which is being simultaneously forwarded to Shurway Contracting Ltd who will make application for Release of Holdback, prepare and submit all “wrap up” documentation and work towards total performance of the contract.

Please be advised that the holdback monies are due and payable one day after termination of the prescribed sixty (60) day lien waiting period of which commences from the following date of publication of the certificate. The contractor shall publish a copy of the certificate once in a construction trade newspaper. Copy of notice of publication to be forwarded to Owner and the Architect. Once we have received proof of publication, we will issue a Certificate for Payment for the holdback amount.

Please note that the date of all warranties/guarantees will commence from October 07, 2024.

Yours truly,



Francisco Cediel, Architect OAA, MRAIC, AIA, NCARB, BCQ
Associate

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

MISSISSAUGA, ONTARIO

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

100 CITY CENTRE DRIVE, MISSISSAUGA ONTARIO L5B 2C9

(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:

Landlord work demolition, back to shell, for new tenant space, combined multiple units in to a single unit

(short description of the improvement)

to the above premises was substantially performed on **October 07 2024**

(date substantially performed)

Date certificate signed: **October 22, 2024**

(payment certifier where there is one)

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

Name of owner: **Square One Limited Partnership**

Address for service: **100 City Centre Drive, Mississauga, Ontario, L5B 2C9**

Name of contractor: **SHURWAY CONTRACTING LTD**

Address for service: **72 CROCKFORD BLVD., TORONTO, ONTARIO, M1R 3C3**

Name of payment certifier (where applicable): **Petroff Partnership Architects**

Address: **260 Town Centre Boulevard, suite 300, Markham, Ontario L3R 8H8**

(Use A or B, whichever is appropriate)

☒ A. Identification of premises for preservation of liens:

100 City Centre Drive, Mississauga, Ontario, L5B 2C9

(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 21, 2024

PPA
Petroff Partnership Architects
260 Town Centre Boulevard
Markham, Ontario, L3R 8H8

Attention: Mr. Francisco Cediel

RE: Square One Zara, 100 City Centre Drive, Mississauga, Ontario, Substantial Completion Certification

We would like to formally request that the Square One Zara Project at 100 City Centre Drive, Mississauga, be declared Substantially Complete as of October 7, 2024.

As of July 1, 2018, the Ontario Construction Act states:

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** (*no longer \$500,000*) of the contract price,
- (ii) 2 per cent of the next **\$1,000,000** (*no longer \$500,000*) of the contract price, and
- (iii) 1 per cent of the balance of the contract price.

The tenant units have been handed to Oxford over as of October 7, 2024 and has been reviewed periodically by the Building Department and Fire Marshal. Formal Occupancy Permit will be issued once all documentation is submitted to the Building Department.

As to the Financial criteria, based on worked completed as of October 7, 2024, the calculations would be as such:

Hence, the max amount would be \$ 54,696.46 plus HST.

ORIGINAL CONTRACT	\$669,000.00
CHANGE ORDERS TO DATE	\$1,800,646.42
FINAL CONTRACT	\$2,469,646.42
3% OF 1,000,000	\$30,000.00
2% OF 1,000,000	\$20,000.00
1% OF REMAINDER	\$ 4,696.46
TOTAL	\$54,696.46
INCOMPLETE WORK	\$ 15,000.00

As of October 7, 2024, the Incomplete work is as follows:

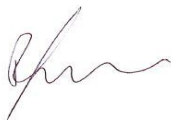
- General Conditions \$ 3,500.00
- Paint and floor tile \$ 1,500.00
- Mechanical deficiencies \$ 5,000.00
- Electrical deficiencies \$ 5,000.00
- Total Incomplete Work \$ 15,000.00

Since Incomplete Work in the amount of \$ 15,000.00 is less than \$54,696.46, the Financial Criteria is met as well.

The attached Form 9 should be signed and returned to Shurway for publication.

Yours truly

SHURWAY CONTRACTING LTD.



Rebecca Frape

Project Manager