



July 31, 2020
Our File: 519017

Via email: ArslanJ@clearwaterstructures.ca
Clearwater Structures Inc.
397 Frankcom St,
Ajax, ON L1S 1R4
Attention: Arslan Jamil

Re: Application for Substantial Performance

Dear Mr. Jamil,

This letter is in response to the email request you made on July 30, 2020 regarding Substantial Performance of the St. George Street Bridge Deck Rehabilitation, contract 20017. GMBP reviewed the project site on July 9, 2020 and has determined that the project satisfies the conditions of Substantial Performance as set out in the Construction Act, R.S.O. 1990, c. C.30, as amended (the Act). Please find attached our Certificate of Substantial Performance (Form 9) and our Substantial Performance Pre-Clearance Form. As required by Section 32(1) paragraph 5 of the Act, you are now required to publish a copy of the certificate in a manner set out by the regulations.

The Substantial Performance Statutory Holdback Release Payment Certificate shall be due 61 days after the date of publication of the Certificate of Substantial Performance, but subject to the provisions of the Construction Act and your submission of the following documents:

1. A Statutory Declaration form;
2. A satisfactory Certificate of Clearance from the Workplace Safety and Insurance Board;
3. Confirmation that you agree to the quantities stated in the Payment Certificate as representing the total work carried out under the Contract, and that you forego the right to make any further claim against the Owner in respect to this Contract (we will provide a form for your review and signature); and,
4. Proof of publication of the Certificate of Substantial Performance.

Please note that it is your responsibility to provide proof of publication so that we may determine the date of release for the Statutory Holdback.

Additionally, our review of the site on July 9, 2020 determined that this project satisfies the conditions of Completion as set out in the Act. Therefore, the 12 month warranty period per section 25 of information to bidders within the Contract commences as of July 9, 2020.

Please do not hesitate to contact me if you have any questions or concerns.

Regards,



GM BLUEPLAN ENGINEERING LIMITED

Per:

A handwritten signature in blue ink, appearing to read 'Brad Bunke'.

Brad Bunke, P.Eng.

Encl.

cc: Aaron Vanoorspronk, City of St. Thomas (avanoorspronk@stthomas.ca)
Patrick Anckaert, City of St. Thomas (panckaert@stthomas.ca)
Jerry Armstrong, Clearwater Structures Inc. (jerryA@clearwaterstructures.ca)
Brad Walt, GM BluePlan Engineering. (Brad.Walt@gmblueplan.ca)
Brandon Clark, GM BluePlan Engineering. (brandon.clark@gmblueplan.ca)

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

City of St. Thomas

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

St. George Street Bridge, St. Thomas ON

(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:

St. George Street Bridge Deck Rehabilitation

(short description of the improvement)

to the above premises was substantially performed on **July 9, 2020**

(date substantially performed)

Date certificate signed: **July 30, 2020**



(payment certifier where there is one)

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

Name of owner: **City of St. Thomas**

Address for service: **545 Talbot St, P.O. Box 520 St. Thomas, ON N5P 3V7**

Name of contractor: **Clearwater Structures Inc.**

Address for service: **397 Frankcom St, Ajax, ON L1S 1R4**

Name of payment certifier (where applicable): **GM BluePlan Engineering Limited**

Address: **235 North Centre Road, Suite 103 London, ON N5X 4E7**

(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:

City of St. Thomas, 545 Talbot St, P.O. Box 520 St. Thomas, ON N5P 3V7

(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)