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January 25, 2021

VIA E-MAIL

Johnson Controls LP CAN
30 Edgewater St., Unit 108
Ottawa Ontario
K2L 1V8

ATTENTION: MR. BRIAN CYR, BRANCH INSTALLATION MANAGER – OTTAWA

**SUBJECT: CERTIFICATE OF SUBSTANTIAL PERFORMANCE
2220 WALKLEY ROAD – ROOFTOP UNITS (RTU) REPLACEMENT
OUR PROJECT NO. 2020-112**

Dear Sir:

Please find attached Certificate of “Substantial Performance” for the above noted Project hereafter called the “Project”.

In accordance with the Contract and the Construction Lien Act, the Work referred to as the Project reached Substantial Performance as defined below on January 20, 2021.

1. For the purposes of the Construction Lien Act, the part of the work 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 \$500,000.00 of the contract price,
 - (ii) 2 per cent of the next \$500,000.00 of the contract price, and
 - (iii) 1 per cent of the balance of the contract price. R.S.O. 1990, c. C.30, s. 2 (1).
2. For the purposes of this Act, where the improvement or a substantial part thereof is ready for use or is being used for the purposes intended and the remainder of the improvement cannot be completed expeditiously for reasons beyond the control of the contractor or, where the owner and the contractor agree not to complete the improvement expeditiously, the price of the services or materials remaining to be supplied and required to complete the improvement shall be deducted from the contract price in determining substantial performance. R.S.O. 1990, c. C.30, s. 2 (2).



**OUR PROJECT NO. 2020-112
JANUARY 25, 2021**

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The work which was completed by January 20, 2021 was ready and being used for the purpose intended and the value of work required to complete the work was less than the value as determined by the formula below:

$$\text{\$500,000.00} \times 3\% + \text{\$500,000.00} \times 2\% + \text{\$158,642.00} \times 1\% = \text{\$26,586.42}$$

The warranty for items completed prior to January 20, 2021 shall commence on January 20, 2021. Please provide a list of all warranties and relevant dates in the final operations and maintenance manuals for reference by the owner.

Yours very truly,

GOODKEY, WEEDMARK & ASSOCIATES LIMITED

A handwritten signature in blue ink, appearing to read 'E. Pérusse', with a stylized flourish at the end.

Eric Pérusse, P.Eng., ing.
Partner
Senior Mechanical Engineer

EP/kr

e.c.: David Cordick (The Properties Group Management Ltd.)
Colin Rose (VDMGC)

Enclosure: Form 9 – Certificate of Substantial Performance (1 page)

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

Construction Act

Ottawa, Ontario

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

2220 Walkley Road, Ottawa, Ontario

(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:

2220 Walkley Road, Rooftop Units (RTU) Replacement

(short description of the improvement)

to the above premises was substantially performed on January 20, 2021
(date substantially performed)

Date certificate signed: January 25, 2021



(payment certifier where there is one)

**Walkley Invstment Properties
Ltd. 2220 Walkley Road Limited
and Ironwood Fund Limited**

Name of owner: Partnership

Address for service: 2220 Walkley Road, Ottawa, Ontario

Name of contractor: Johnson Controls LP CAN

Address for service: 30 Edgewater Street, Unit 108, Ottawa, Ontario, K2L 1V8

**Eric Perusse, P.Eng., ing.,
Goodkey, Weedmark &**

Name of payment certifier (where applicable): Associates Limited

Address: 1688 Woodward Drive, Ottawa, Ontario, K2C 3R8

(Use A or B, whichever is appropriate)

☒ A. Identification of premises for preservation of liens:

2220 Walkley Road, Ottawa, Ontario

(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)