

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

*Construction Act*

Regional Municipality of Toronto

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

Ed Mirvish Way, Duncan Street, Pearl Street, and Simcoe Street, Toronto 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:

Enwave District Energy System Western Expansion Project

(short description of the improvement)

to the above premises was substantially performed on November 4<sup>th</sup>, 2020

(date substantially performed)

Date certificate signed: March 12<sup>th</sup>, 2020

(payment certifier where there is one)

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

Name of owner: Enwave Energy Corporation

Address for service: 333 Bay Street, Toronto, Suite 710, Toronto, ON M5H 2R2

Name of contractor: Aecon Utilities, a Div. of ACGI

Address for service: 20 Carlson Court, Suite 800, Toronto, ON, M9W 7K6

Name of payment certifier (where applicable): Matthew Jagiello

Address: 674305 Hurontario Street, Mono ON

(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:

James Scharbach, Enwave Energy Corporation, 333 Bay St, Suite 710, Toronto, ON.

(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)