

August 6, 2021  
Ref. No. 2009.06

Avery Construction Ltd.  
940 Second Line West  
Sault Ste. Marie, ON P6C 2L3

Attention: Mr. Greg Ford

**Re: City Contract No. 2020-5E**  
**Northern Avenue Improvements**

Dear Mr. Ford:

Enclosed with this correspondence, please find the Certificate of Substantial Performance which establishes the date of substantial performance for the above-noted Contract on August 5, 2021. Accordingly, please proceed with advertising in the Daily Commercial News as required by the contract, thus commencing your 60-day holdback period for the release of your 10% statutory holdback. We would ask that you return a copy of the Certificate of Publication outlining the advertisement date together with a copy of the ad, for our record.

In order to complete the release of the statutory holdback following the 60 day lien period, we will require the following documentation in accordance with the Contract Documents:

- a) a release by the Contractor in a form satisfactory to the Contract Administrator releasing the Owner from all further claims relating to the Contract, qualified by stated exceptions such as outstanding work;
- b) a statutory declaration in a form satisfactory to the Contract Administrator that all liabilities incurred by the Contractor and the Contractor's Subcontractors in carrying out the Contract have been discharged except for statutory holdbacks properly retained;
- c) a satisfactory Certificate of Clearance from the Workplace Safety and Insurance Board; and
- d) proof of publication of the Certificate of Substantial Performance.

Please call me should you have any questions.

Yours very truly,  
Kresin Engineering Corporation



Michael Kresin, P. Eng.  
Consulting Engineer

MK/eg  
Encls.  
2009 mk ltr avery sub perf cert

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

*Construction Act*

**City of Sault Ste. Marie, District of Algoma**

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

**Northern Avenue, Sault Ste. Marie, 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:

**Contract No. 2020-5E - Northern Avenue Improvements**

(short description of the improvement)

to the above premises was substantially performed on **August 5, 2021**

(date substantially performed)

Date certificate signed: **August 6, 2021**



(payment certifier where there is one)

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

**Corporation of the City of Sault**

Name of owner: **Ste. Marie**

Address for service: **99 Foster Drive, P.O. Box 580, Civic Centre, Sault Ste. Marie, ON P6A 5N1**

Name of contractor: **Avery Construction Ltd.**

Address for service: **940 Second Line West, Sault Ste. Marie, ON P6C 2L3**

Name of payment certifier (where applicable): **Kresin Engineering Corporation**

Address: **536 Fourth Line East, Sault Ste. Marie, ON P6A 6J8**

(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:

**Same As Owner**

(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)