

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

Construction Act

Township of Chapple, Rainy River District, ON

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

District of Rainy River

(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:

Washbay Civil Works - SCP-CC51

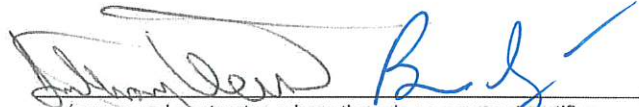
(short description of the improvement)

to the above premises was substantially performed on December 23, 2019

(date substantially performed)

Date certificate signed: February 20, 2020

(payment certifier where there is one - signature required)


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

Name of owner: New Gold Inc.

Address for service: Brookfield Place, 181 Bay Street, Suite 3510, Toronto, ON, M5J 2T3

Name of contractor: Tom Veert Contracting Ltd.

Address for service: 801 8th St W, Fort Frances, P9A3X9

Name of payment certifier (where applicable): _____

Address:

(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:

Brookfield Place, 181 Bay Street, Suite 3510, Toronto, ON, M5J 2T3

(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)