

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

Construction Act

Township of West Lincoln

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

8635 Silver Street Smithville, Ontario L0R 1E0 Canada

(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:

Construction of New Fire Station 2

(short description of the improvement)

to the above premises was substantially performed on June 15, 2024

(date substantially performed)

Date certificate signed: June 17, 2024



(payment certifier where there is one - signature required)

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

Name of owner: The Corporation of the Township of West Lincoln

Address for service: 318 Canborough St. Box 400 Smithville, ON L0R 2A0

Name of contractor: NIACON Limited

Address for service: 3659 Stanley Ave, Niagara Falls, ON L2E 0A6

Name of payment certifier (where applicable): Raimondo & Associates Architects Inc

Address: 4687 Queen St, Niagara Falls, ON L2E 2L9

(Use A or B, whichever is appropriate)

A. Identification of premises for preservation of liens:

8635 Silver Street, Smithville, Ontario, L0R 1E0

(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, the name and address of the person or body to whom the claim for lien must be given)



June 17, 2024

NIACON Project Number: 22010

Substantial Performance Letter

Payment Certifier Contact Name: Jeff Visentin
Payment Certifier Firm Name: Raimondo & Associates Architects Inc
Payment Certifier Contact Email: jeffv@raimondoarchitects.ca

If the Contract does not have a Payment Certifier complete Owner information below.

Owner Contact Name:
Owner Firm Name:
Owner Contact Email:

NIACON Limited is submitting this formal application for the completion of Form 9: Certificate of Substantial Performance of the Contract Under Section 32 of the Act for the Work performed.
Project: West Lincoln Fire Station 2 - 8635 Silver Street, Smithville, Ontario

Date Contract is substantially performed: June 15, 2024

As per Section 2 of the Construction Act, the Contract was substantially performed by meeting:

- (a) the improvement made under the Contract is ready for use or is being used for the purposes intended;
and
- (b) the improvement made under the Contract is capable of completion at a cost of not more than:
 - (i) 3% of the first \$1,000,000 of the contract price,
 - (ii) 2% of the next \$1,000,000 of the contract price, and
 - (iii) 1% of the balance of the contract price.

Contract value (includes all approved PCCO): \$3,522,222.84
Unused allowances (deducted from Contract value): -\$157,798.08
Revised Contract value for Substantial Performance: \$3,364,424.76

3% of first \$1,000,000 of Contract value: \$30,000.00
2% of next \$1,000,000 of Contract value: \$20,000.00
1% of balance of Contract value: \$13,644.25

Allowable cost to complete under Section 2: \$63,644.25
Contract value remaining to completion: \$7,134.09

As the remaining Contract value is less than the allowable cost to complete under Section 2, the Contract is substantially performed. Please complete the attached Form 9: Certificate of Substantial Performance of the Contract Under Section 32 of the Act so NIACON may publish the Certificate of Substantial Performance. Should you have any questions, or require additional information, please do not hesitate to contact us to discuss.

Sincerely,
Trevor Butler

Trevor Butler