

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

Construction Act

City of Ottawa

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

415 West Hunt Club Road, Ottawa, Ontario, K2E 1C5

(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:

Costco Head Office Expansion

(short description of the improvement)

to the above premises was substantially performed on June 1, 2026

(date substantially performed)

Date certificate signed: JUNE 5, 2026

Brian Clark
(payment certifier where there is one)

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

Name of owner: Costco Wholesale Canada Limited

Address for service: 415 West Hunt Club Road, Ottawa, Ontario K2E 1C5

Name of contractor: RoJo Construction Management Inc.

Address for service: 5305 Bank Street, Ottawa, Ontario K1X 1H2

Name of payment certifier (where applicable): Brian K Clark Architect

Address: 102-141 Catherine Street, Ottawa, Ontario K2P 1C3

(Use A or B, whichever is appropriate)

☒ A. Identification of premises for preservation of liens:

415 West Hunt Club Road, Ottawa, Ontario K2E 1C5

(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)

Date: June 1, 2026

Brian K. Clark
141 Catherine Street, Unit 102
Ottawa, Ontario K2P 1C3
T: (613) 238-7412
E: bkclarkarchitect@gmail.com

Subject: Costco Head Office Expansion – Request for Substantial Performance

Brian,

In accordance with the requirements of the Construction Act, R.S.O. 1990, c. C.30, this letter serves as RoJo Construction Management Inc.'s formal request for acknowledgment and certification of Substantial Performance for the above-referenced project.

We confirm that all work required to achieve substantial performance, as defined under Section 2(1) of the Construction Act, has been completed as of June 1, 2026 and the project is capable of being used for its intended purpose. The premises are presently occupied and operational. Any outstanding work is limited to deferred scope items, primarily associated with the seasonal nature of the remaining work and other agreed deferred items. A detailed list of deferred work is attached for your review, with a total deferred value of \$837,412.78.

Project Financial Summary and Substantial Performance Calculation

Original Contract Value: \$10,203,046.46
Approved Change Orders: \$3,547,066.47
Total Contract Value: \$13,750,112.93
Billed to Date: \$12,767,624.56
Less Deferred Work (Attached): (\$837,412.78)
Adjusted Contract Value for Substantial Performance: \$12,912,700.15

Substantial Performance calculation pursuant to the Construction Act:

3% of first \$1,000,000: \$30,000.00
2% of next \$1,000,000: \$20,000.00
1% of balance (\$10,912,700.15): \$109,127.00

Maximum Allowable Cost to Complete: \$159,127.00

Remaining non-deferred work, calculated as Total Contract Value less Billed to Date and Deferred Work, totals \$145,075.59, which is within the maximum allowable cost to complete prescribed under the Construction Act.

Accordingly, we respectfully request that you provide written confirmation of Substantial Performance by issuing a signed Certificate of Substantial Performance (Form 9) at your earliest convenience so that it may be published in accordance with the requirements of the Construction Act.

Please advise if any additional information or supporting documentation is required to complete this process.

Regards,



Nicolas Rooney
President
RoJo Construction Management Inc.

Attachment A: Deferred Work Schedule

ROJO
CONSTRUCTION MANAGEMENT

5305 Bank Street, Ottawa, ON K1X 1H2
rojoconstruction.com
(p) 613.821.4193

ATTACHMENT A – DEFERRED WORK SCHEDULE

Costco Head Office Expansion
415 West Hunt Club
Ottawa, Ontario K2E 1C5

The following work has been deferred due to the seasonal nature of the work and other agreed deferred scope items:

Deferred Work Description	Value
Specialties	\$296,900.00
Earthwork	\$12,707.88
Concrete	\$40,000.00
Asphalt Paving & Surfacing	\$15,000.00
Pavement Markings	\$1,500.00
Hardscape, Furnishing & Fencing	\$97,657.79
Landscaping	\$15,000.00
CO3 COP8 – Balance of L1 Landscaping	\$19,570.11
CO6 COP19 – Snow Shed	\$339,077.00
Total Deferred Work	<u>\$837,412.78</u>

The above noted work has been deferred due to seasonal conditions and other agreed deferred scope items and does not prevent the project from being occupied and utilized for its intended purpose or from achieving substantial performance under the Construction Act.