

May 13, 2021

**ALS Environmental**

**Attention: Glenna Pike**

60 Northland Road, Unit 1  
Waterloo ON

Dear Mrs. Pike;

**RE: ALS Environmental Interior Renovations**

60 Northland Road, Unit 1, Waterloo ON  
**19-025**

At the request of the Contractor, this office completed review of the above noted Project and as of **April 30, 2021**, find the Work to be "Substantially Performed" in accordance with "Sections 2.1 and 2.2 of the Construction Act (Ontario)". The lien period will commence when the Contractors Publication of "Form 9, Certificate of Substantial Performance of the Contract under Section 32 of the Act as amended by Bill 142 on October 1, 2019" appears in the provincial trade newspapers. We will confirm the date of publication once the "Certificate of Publication" is received from the Contractor.

As requested, we have evaluated and determined that Substantial Performance has been attained to the requirements as described in Sections 2.1 and 2.2 of the Construction Act (Ontario), which states *"For the purposes of the Act, where the improvement or a substantial part thereof is ready for use or is being used for the purposes intended and the owner and the contractor agree not to complete the improvement expeditiously, the price of the services or materials remaining to be supplied and required to complete the improvement shall be deducted from the contract price in determining substantial performance."*

*the remainder of the improvement cannot be completed expeditiously for reasons beyond the control of the contractor or, where the owner and the contractor agree not to complete the improvement expeditiously, the price of the services or materials remaining to be supplied and required to complete the improvement shall be deducted from the contract price in determining substantial performance."*

Once we have completed our evaluation and deficiency reports, we will issue a Certificate of Payment for the work completed and a Holdback Release Certificate releasing the holdback monies.

We trust the above to be submitted in accordance with the requirements of your company. Should you have any questions or require additional information or clarification, please do not hesitate to contact our office.

**Prepared and issued by:**

NEO Architecture Inc.



**DOUG** McINTOSH  
DIRECTOR OF PROJECTS

## Substantial Completion Calculation

Project:	<b>ALS Environmental Interior Renovations</b>	Date	May. 13/21
	60 Northland Road, Unit 1		
	Waterloo ON		
Project No:	<b>19-025</b>		
Original Contract dated <b>February 21, 2020</b>		\$	<b>956,000.00</b>
Approved Change Orders to date			200,578.55
<b>Total Contract to Date (excluding HST)</b>		\$	<b>1,156,578.55</b>
"Material on Site" and Work Furnished as of April 30, 2021	<b>100%</b>		1,156,578.55
Balance Due/Work to be Completed			<b>\$0.00</b>
<u>Work that cannot be expeditiously completed per the Act</u>			
_____			
_____			
_____			
_____			
_____			
_____			
Sub-total		\$0.00	
Balance Due/Work to be Completed			<b>\$0.00</b>
<u>Deficiencies and/or Work to Complete Value</u>			
_____			
_____			
_____			
_____			
_____			
_____			
Work to Complete		\$0.00	
Balance Due/Work to be Completed			<b>\$0.00</b>
<u>Substantial Completion Target Value</u>			
Substantial calculation 3% of 1st \$1 million		\$30,000.00	
Substantial calculation 2% of 2nd \$1 million		\$3,131.57	
Remainder at 1% of balance		\$0.00	
Target Value		\$33,131.57	
<b>TARGET VALUE</b>			<b>\$33,131.57</b>

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

*Construction Act*

City of Kitchener, Region of Waterloo

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

60 Northland Road, Unit 1, Waterloo 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:

ALS Environmental Interior Renovations

(short description of the improvement)

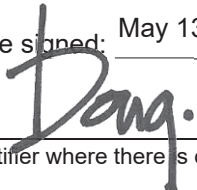
to the above premises was substantially performed on April 30, 2021

(date substantially performed)

Date certificate signed: May 13, 2021

\_\_\_\_\_

(payment certifier where there is one - signature required)



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

Name of owner: ALS Environmental

Address for service: 60 Northland Road, Unit 1, Waterloo ON

Name of contractor: Academy Construction (1996) Ltd

Address for service: 540 Conestogo Road, Unit C

Name of payment certifier (where applicable): NEO Architecture Inc

Address: 1-243 King Street East, Kitchener ON

(Use A or B, whichever is appropriate)

A. Identification of premises for preservation of liens:

60 Northland Road, Unit 1, Waterloo ON

(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:

AS PER PART A

(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)