

September 12, 2023

Windsor Family Credit Union Limited

Attention: Steve Deneau
3000 Marentette Avenue
Windsor ON

Dear Mr. Deneau;

RE: WFCU
101 Frederick Street, 8th Floor, Kitchener
22-012

At the request of the Contractor, this office completed review of the above noted Project and as of **Aug 31, 2023**, 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.”*

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: **WFCU**
101 Frederick Street, 8th Floor
Kitchener
Project No: **22-012**

Date Sep. 12/23

Original Contract (excluding HST)	\$	2,501,875.00
Approved Change Orders to date		102,052.10
Total Contract to Date (excluding HST)	\$	2,603,927.10
"Material on Site" and Work Furnished as of Aug 31/22	98%	2,554,773.25
Balance Due/Work to be Completed		\$49,153.85

Work that cannot be expeditiously completed per the Act

Cash Allowances Reconciliation	\$47,000.00

Sub-total	\$47,000.00
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Balance Due/Work to be Completed	\$2,153.85
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Deficiencies and/or Work to Complete Value

Work to Complete	\$0.00
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Balance Due/Work to be Completed	\$2,153.85
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Substantial Completion Target Value

Substantial calculation 3% of 1st \$500k	\$15,000.00
Substantial calculation 2% of 2nd \$500k	\$10,000.00
Remainder at 1% of balance	\$16,039.27
Target Value	\$41,039.27

TARGET VALUE	\$41,039.27
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FORM 9
CERTIFICATE OF SUBSTANTIAL PERFORMANCE OF THE
CONTRACT UNDER SECTION 32 OF THE ACT

Construction Act

Kitchener ON

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

101 Frederick Street, 8th Floor, Kitchener 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:

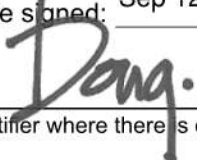
WFCU

(short description of the improvement)

to the above premises was substantially performed on Aug 31/23

(date substantially performed)

Date certificate signed: Sep 12/23



(payment certifier where there is one - signature required)

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

Name of owner: Windsor Family Credit Union Limited

Address for service: 3000 Marentette Avenue, Windsor ON

Name of contractor: Zehr Construction Inc.

Address for service: 1440 King St. N., Unit 2, St Jacobs ON

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

Address: 270 King Street East, Kitchener ON

(Use A or B, whichever is appropriate)

A. Identification of premises for preservation of liens:

101 Frederick Street, 8th Floor, Kitchener 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)