

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

Construction Lien Act

Middlesex County

(County/District or Regional Municipality/City or Borough of  
Municipality of Metropolitan Toronto in which premises are situate)

841 Wellington Road, London ON, N6E 3R5

(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:

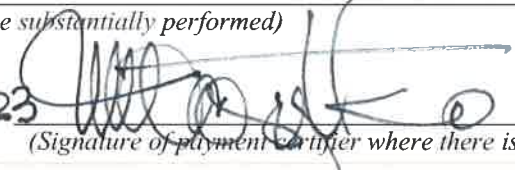
Wellington Commons

(short description of the improvement)

to the above premise was substantially performed on: September 28, 2023

(date substantially performed)

Date certificate signed:

September 29, 2023 

(Signature of payment certifier where there is one)

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

Name of owner: MegBrook Holdings Inc.

Address for service: 2-1026 Cooke Blvd, Burlington ON L7T 4A8

Name of contractor: Michael+Clark Construction Inc.

Address for service: 6647 Westminster Drive London ON, N6P 1N5

Name of payment certifier:  
(where applicable)

Address:

(Use A or B whichever is appropriate)

A. Identification of premises for preservation of liens:

841 Wellington Road, London ON, N6E 3R5

(where liens attach to premises, reference to lot and plan or instrument registration number)

B. Office to which claim for lien must be given to preserve lien:

(where liens do not attach to premises)



September 28, 2023

Sent via Email Only

**ATT: MegBrook Holdings Inc.**

2-1026 Cooke Blvd, Burlington ON L7T 4A8

**FROM: From: Michael Clark Construction (MCC) - Project Number 18-134**

**Re: Construction Substantial Completion – 841 Wellington Road – Wellington Commons**

Please consider this as our application for Substantial Performance as defined under the Construction Act. It is our opinion that the contract for 841 Wellington Road – Wellington Commons is substantially complete.

Our original contract value for the 841 Wellington Road – Wellington Commons contract was **\$3,600,306.58**. At this time, the total approved Change Orders is **\$1,040,263.62**. Our current contract value as such is **\$4,640,570.20**.

Furthermore, our original contract value included Cash Allowances and Contingency which have since been credited back to the client. As such our final Contract Final Value remains **\$4,640,570.20**

In accordance with Section 2.1 (b) of the Construction Act, our balance to bill on the project must be less than:

3% of first \$1,000,000.00	<b>\$30,000.00</b>
2% of next \$1,000,000.00	<b>\$20,000.00</b>
1% of balance	<b>\$26,405.70</b>
<b>Total</b>	<b>\$76,405.70</b>

As per our latest Progress Application **#18-134-036** dated **September 25, 2023** our balance to bill for the project is **\$67,062.99**.

Since the balance to bill is less than the calculation required by Section 2.1 (b) of the Construction Act we fulfill the requirement for Substantial Performance.

An invoice for the holdback monies due for payment following the issue of the certificate of **Substantial Performance** will be submitted following publication.

We request that a Certificate of **Substantial Performance** be issued so that we can arrange for publication of the Certificate as required by the Construction Act. The date of publication is understood to be the commencement of the statutory lien period.

Project warranties will commence from the date of Substantial Performance.

Please contact the undersigned to discuss any content within this letter in further detail as needed.

Yours truly,

**michael+clark construction**

Per: