

150 King Street West
Suite 1400 – P.O. Box 72
Toronto ON, M5H 1J9
Canada

Tel +1 416.601.3890



November 23, 2020

Quoin Construction Limited
2600 Skymark Avenue, Bldg 5 – Suite 202
Mississauga, ON L4W 5B2

Subject: Application for Substantial Performance
TD Branch
55 King Street West, Toronto ON, M5H 3C2
Gensler Project Number: 67.0589.100
File Code: 6SC

Dear Craig Smith:

On the basis of periodic field reviews carried out by personnel from our firm, we have determined that, to the best of our knowledge, the Work for the above noted project has been constructed in general conformity with the Contract Documents and that, in accordance with the definition of Section 32 of the Construction Act, R.S.O. 1990, the criteria for substantial performance has been met.

Based on the above information, we certify that Quoin Construction Limited have substantially performed the work of above noted project. A copy of the Certificate of Substantial Performance Form 9 is enclosed.

Based on this certification we hereby advise that in accordance with Section 31 of the Construction Act, R.S.O. 1990, the release of the basic holdback shall be due on the 61st day after publication of the certification of substantial performance by Quoin Construction Limited. Once we have received proof of publication along with an application for payment of the holdback amount and a 'Statutory Declaration' for payment of all associated accounts, we will issue a Certificate for Payment for the holdback amount.

We trust that the above is satisfactory; please contact the undersigned for any other information you required.

Sincerely ,

A handwritten signature in black ink that reads "Timea Jakab".

Timea Jakab
Architect

Enclosure: Certificate of Substantial Performance Form 9

cc: [Alan Murphy – Green Reason]

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

Construction Act

CITY OF TORONTO

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

55 KING STREET WEST, TORONTO, ON M5H 3C2

(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:

INTERIOR ALTERATIONS

(short description of the improvement)

to the above premises was substantially performed on NOVEMBER 02, 2020

(date substantially performed)

Date certificate signed: NOVEMBER 23, 2020



(payment certifier, where there is one)

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

Name of owner: TD BANK

Address for service: 66 WELLINGTON STREET WEST, 30TH FLOOR, TORONTO, ON M5K 1A2

Name of contractor: QUOIN CONSTRUCTION LTD.

Address for service: 2600 SKYMARK AVENUE, BLDG 5 - SUITE 202, MISSISSAUGA ON L4W 5B2

Name of payment certifier (where applicable): TIMEA JAKAB (GENSLER)

Address: 150 KING STREET WEST, SUITE 1400, TORONTO, ON M5H 1J9

(Use A or B, whichever is appropriate)

A. Identification of premises for preservation of liens:

55 KING STREET WEST, TORONTO, ON M5H 3C2

(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)

Allison Craig

From: Craig Smith <craig@quoin.ca>
Sent: Wednesday, November 11, 2020 2:21 PM
To: Allison Craig
Cc: Maryam Al Doori; Alan Murphy; Timea Jakab; Khoa Trinh; Stacey Comrie
Subject: TD Pavilion - 55 King St. - Substantial Performance

Follow Up Flag: Follow up
Flag Status: Flagged

Allison,

At this time we would like to request substantial performance for November 2nd, 2020.
Please forward the Form 9 for publication and close out document start up.

Regards,

Craig Smith B.Arch.Sci
Project Manager | Partner

craig@quoin.ca

T 905.232.5280 x209

C 416.984.1928

Quoin Construction Limited
2600 Skymark Avenue, Bldg. 5, Suite 202
Mississauga, Ontario L4W 5B2

Statutory Declaration of Progress Payment Distribution by Contractor

Standard Construction Document

CCDC 9A - 2001

To be made by the Contractor **prior to payment** when required as a condition for either:

- second and subsequent progress payments; or
 release of holdback.

The last application for progress payment for which the Declarant has received payment is No. 1
dated the 30th day of June,
in the year 2020.

Identification of Contract

Name of Contract (Location and description of the Work as it appears in the Contract Documents)

TDC Banking Pavilion (P20-023)
55 King Street West

Date of Contract: 27th May 2020
Day Month Year

Name of Owner
Green Reason Inc

Name of Contractor
Quoin Construction Limited

Identification of Declarant

Name of Declarant
Michael Callanan

Position or Title (of office held with Contractor)
Construction Manager

Declaration


I solemnly declare that, as of the date of this declaration, I am an authorized signing officer, partner or sole proprietor of the Contractor named in the Contract identified above, and as such have authority to bind the Contractor, and have personal knowledge of the fact that all accounts for labour, subcontracts, products, services, and construction machinery and equipment which have been incurred directly by the Contractor in the performance of the work as required by the Contract, and for which the Owner might in any way be held responsible, have been paid in full as required by the Contract up to and including the latest progress payment received, as identified above, except for:

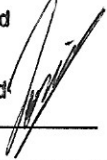
- 1) holdback monies properly retained,
- 2) payments deferred by agreement, or
- 3) amounts withheld by reason of legitimate dispute which have been identified to the party or parties, from whom payment has been withheld.

I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath.

Declared before me in Mississauga, ON this 28th day of August,
City/Town and Province

in the year 2020.


Signature of Declarant


Jenilkumar Dhansukhbhai Lad
a Commissioner, etc.,
Province of Ontario
for Quoin Construction Limited
Expires January 08, 2022
(A Commissioner for Oaths, Notary Public, Justice of the Peace, etc.)

The making of a false or fraudulent declaration is a contravention of the Criminal Code of Canada, and could carry, upon conviction, penalties including fines or imprisonment.

This agreement is protected by copyright and is intended by the parties to be an unaltered version of CCDC 9 - 2001 except to the extent that any alterations, additions or modifications are set forth in supplementary conditions.

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Statutory Declaration of Progress Payment Distribution by Contractor

Standard Construction Document

CCDC 9A - 2001

To be made by the Contractor **prior to payment** when required as a condition for either:

- second and subsequent progress payments; or
 release of holdback.

The last application for progress payment for which the Declarant has received payment is No. 2
dated the 5th day of August,
in the year 2020.

Identification of Contract

Name of Contract (Location and description of the Work as it appears in the Contract Documents)

TDC Banking Pavilion (P20-023)
55 King Street West

Date of Contract: 27th May 2020
Day Month Year

Name of Owner

Green Reason Inc

Name of Contractor

Quoin Construction Limited

Identification of Declarant

Name of Declarant

Michael Callanan

Position or Title (of office held with Contractor)

Construction Manager

Declaration

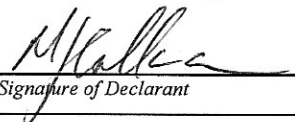
I solemnly declare that, as of the date of this declaration, I am an authorized signing officer, partner or sole proprietor of the Contractor named in the Contract identified above, and as such have authority to bind the Contractor, and have personal knowledge of the fact that all accounts for labour, subcontracts, products, services, and construction machinery and equipment which have been incurred directly by the Contractor in the performance of the work as required by the Contract, and for which the Owner might in any way be held responsible, have been paid in full as required by the Contract up to and including the latest progress payment received, as identified above, except for:

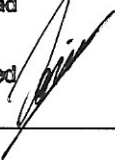
- 1) holdback monies properly retained,
- 2) payments deferred by agreement, or
- 3) amounts withheld by reason of legitimate dispute which have been identified to the party or parties, from whom payment has been withheld.

I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath.

Declared before me in Mississauga, ON this 25th day of September,
City/Town and Province

in the year 2020.


Signature of Declarant


(A Commissioner for Oaths, Notary Public, Justice of the Peace, etc.)

Jenikumar Dhansukhbhai Lad
a Commissioner, etc.,
Province of Ontario
for Quoin Construction Limited
Expires January 08, 2022

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To be made by the Contractor **prior to payment** when required as a condition for either:

- second and subsequent progress payments; or
 release of holdback.

The last application for progress payment for which the Declarant has received payment is No. 3
dated the 1st day of September,
in the year 2020.

Identification of Contract

Name of Contract (Location and description of the Work as it appears in the Contract Documents)

TDC Banking Pavilion (P20-023)
55 King Street West

Date of Contract: 27th May 2020
Day Month Year

Name of Owner
Green Reason Inc

Name of Contractor
Quoin Construction Limited

Identification of Declarant

Name of Declarant
Michael Callanan

Position or Title (of office held with Contractor)
Construction Manager

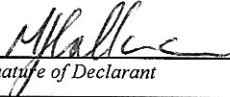
Declaration

I solemnly declare that, as of the date of this declaration, I am an authorized signing officer, partner or sole proprietor of the Contractor named in the Contract identified above, and as such have authority to bind the Contractor, and have personal knowledge of the fact that all accounts for labour, subcontracts, products, services, and construction machinery and equipment which have been incurred directly by the Contractor in the performance of the work as required by the Contract, and for which the Owner might in any way be held responsible, have been paid in full as required by the Contract up to and including the latest progress payment received, as identified above, except for:

- 1) holdback monies properly retained,
- 2) payments deferred by agreement, or
- 3) amounts withheld by reason of legitimate dispute which have been identified to the party or parties, from whom payment has been withheld.

I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath.

Declared before me in Mississauga, ON this 30th day of October,
City/Town and Province
in the year 2020.


Signature of Declarant

Jenikumar Dhansukhbhai Lad
a Commissioner, etc.,
Province of Ontario
for Quoin Construction Limited
(A Commissioner for Oaths, Notary Public since January 08, 2022)



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Statutory Declaration of Progress Payment Distribution by Contractor

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To be made by the Contractor **prior to payment** when required as a condition for either:

- second and subsequent progress payments; or
 release of holdback.

The last application for progress payment for which the Declarant has received payment is No. 4
dated the 1st day of October,
in the year 2020.

Identification of Contract

Name of Contract (Location and description of the Work as it appears in the Contract Documents)

TDC Banking Pavilion (P20-023)
55 King Street West

Date of Contract: 27th May 2020
Day Month Year

Name of Owner

Green Reason Inc

Name of Contractor

Quoin Construction Limited

Identification of Declarant

Name of Declarant

Michael Callanan

Position or Title (of office held with Contractor)

Construction Manager

Declaration


I solemnly declare that, as of the date of this declaration, I am an authorized signing officer, partner or sole proprietor of the Contractor named in the Contract identified above, and as such have authority to bind the Contractor, and have personal knowledge of the fact that all accounts for labour, subcontracts, products, services, and construction machinery and equipment which have been incurred directly by the Contractor in the performance of the work as required by the Contract, and for which the Owner might in any way be held responsible, have been paid in full as required by the Contract up to and including the latest progress payment received, as identified above, except for:

- 1) holdback monies properly retained,
- 2) payments deferred by agreement, or
- 3) amounts withheld by reason of legitimate dispute which have been identified to the party or parties, from whom payment has been withheld.

I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath.

Declared before me in Mississauga, ON this 30th day of October,
City/Town and Province

in the year 2020.


Signature of Declarant

Jenilkumar Dhansukhbhai Lad
a Commissioner, etc.,
Province of Ontario
for Quoin Construction Limited
Expires January 08, 2022

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