

2021-08-25

WZMH Architects

Mirtren Construction Ltd.
50 Nashdene Road, Unit #110.
Scarborough, Ontario, M1V 5J2

**Re: RBC Laurier University
Project No. 07781
Publication of Certificate of Substantial Performance**

Dear Simon Nagy,

We are pleased to submit herewith the Ontario Construction Act Form 9 dated Aug 25, 2021, acknowledging substantial performance was achieved on Aug 6, 2021 for the above noted project (with updated information provided Aug 25, 2021). Publishing this document in a construction newspaper in print or digital format is the sole responsibility of Mirtren. WZMH and the Owner, Jones Lang Lasalle require confirmation by the publishing entity, that the Form 9 has been published according to the Ontario Construction Act.

Please contact the undersigned if you have any queries regarding the above.

Yours truly,
WZMH ARCHITECTS



Kristiana Schuhmann, OAA
Contract Administrator

CC: Amanda, Douglas, JLL

Attachments:

1. Form 9
2. 3-2-1 Calculation

Principals

Len Abelman, OAA, MRAIC
Mohammed Al-Atheri, OAA, MRAIC
Supreet Barhay, OAA, MRAIC, LEED AP BD+C
Nicola Casciato, OAA, MRAIC
Harrison Chan, OAA, MRAIC
Jee-Young Kang, B.Arch.
Jeffrey Leong-Poi, OAA, MRAIC
David Moore, OAA, FRAIC, LEED AP
Richard Myers, OAA, MRAIC, LEED AP BD+C
Moran Olsha, B.Tech, LEED AP
Zenon Radewych, B.Tech
Robert Sampson, OAA, MRAIC
John White, OAA, MRAIC

Chief Financial Officer
Henry Ng, CPA, CA

A Partnership of Corporations

MIRTREN CONSTRUCTION LIMITED

 50 Nashdene Road, Unit #110, Scarborough, Ontario, M1V 5J2
 T: (416) 2192-9393 W: www.mirtren.com F: (416) 292-6437

Contractor Name: Mirtren Construction Limited
Project Name: RBC- Laurier On Campus, 75 University Ave, Waterloo, Ontario

Project Number: S21-020

Date Submitted: 24-Aug-21

(i) the Contract is substantially performed, and
 (ii) the phase of the performance of the balance of the Contract is in process and completion is scheduled for the **Date**. Where the balance of the Contract, or a part or parts thereof, cannot be performed forthwith, but must be deferred for reasons beyond the control of the Contractor, the Contractor's statement shall contain a completion date for each phase of the balance of the Contract.

Evaluation of Net Contract Price to determine Substantial Performance
(Input blue italic values only)

Contract Price	\$211,410.00
Deferred Work & Remaining Cash Allowance value	\$0.00
Revised Total Contract Price to determine SP	\$211,410.00

A	Value of Work Remaining including Deficiencies	\$5,000.00
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Lien Act calculation to determine Substantial Performance

3% of Contract Price up to 1mil	\$211,410.00	\$6,342.30
2% of Contract Price within the next 1mil	\$0.00	\$0.00
1% of Remaining Balance	\$0.00	\$0.00
B	Total	\$6,342.30

Value of Work remaining NOT TO EXCEED Lien Act calculation
if A - B = NEGATIVE value Substantial Performance achieved
if A - B = POSITIVE value Substantial Performance NOT achieved

A - B		Substantial Performance (- or + value)
\$5,000.00	\$6,342.30	-\$1,342.30

Lien Act Criteria

When contract substantially performed

2. (1) For the purposes of this Act, a contract is substantially performed,
 - (a) when the improvement to be made under that contract or a substantial part thereof is ready for use or is being used for the purposes intended; AND
 - (b) when the improvement to be made under that contract is capable of completion or, where there is a known defect, correction, at a cost of not more than,

- (i) 3 per cent of the first \$1,000,000 of the contract price,
- (ii) 2 per cent of the next \$1,000,000 of the contract price, and
- (iii) 1 per cent of the balance of the contract price. R.S.O. 1990, c. C.30, s. 2 (1).

Deferred work is defined as:

3. Work which cannot be performed for reasons beyond the control of the Contractor; and where applicable Work which the Owner and the Contractor agree in writing is to be deferred to a later date

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

Construction Act

City of Waterloo

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

75 University Ave, 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:

Interior Renovation of RBC Branch

(short description of the improvement)

to the above premises was substantially performed on **Aug 6, 2021**

(date substantially performed)

Date certificate signed: **Aug 25, 2021**



(payment certifier where there is one)

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

Name of owner: **Jones Lang Lasalle**

Address for service: **200 Wellington Street West, Suite 605, Toronto, ON M5V3C7**

Name of contractor: **Mirtren Construction Ltd.**

Address for service: **50 Nashdene Road, Unit #110, Scarborough, Ontario, M1V 5J2**

Name of payment certifier (where applicable): **WZMH Architects**

Address: **95 St. Clair Ave. W., Suite 1500, Toronto, Ontario, M4V 1N**

(Use A or B, whichever is appropriate)

A. Identification of premises for preservation of liens:

(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:

Jones Lang Lasalle, 200 Wellington Street West, Suite 605, Toronto, ON M5V3C7

(if the lien does not attach to the premises, a concise description of the premises, including addresses, and the name and address of the person or body to whom the claim for lien must be given)