Neegan Burnside Ltd. 15 Townline Orangeville ON L9W 3R4 CANADA
telephone (519) 941-1161 **fax** (226) 526-9660 **web** www.neeganburnside.com

NEEGAN BURNSIDE

November 6, 2026

Via Email: (kgamble@mathesonconstructors.com)

Kenton Gamble GSC
Project Manager, Operations
Matheson Constructors Limited
245 Industrial Parkway North
Aurora ON L4G 4C4

Dear Kenton:

Re: Request for Substantial Performance
Water Supply & Treatment Project – Biigtigong Nishnaabeg
Project No.: 300052195.0000

Enclosed to this letter is a completed Form 9, Certificate of Substantial Performance of the Contract under Section 32 of the *Construction Act* duly signed and dated confirming that Water Supply & Treatment Project – Biigtigong Nishnaabeg has been Substantially Performed by Matheson Constructors Limited (Matheson).

The 60-day lien period as set out in the *Construction Act* starts on the date that the Certificate of Substantial Performance is published.

At the end of the 60-day lien period, we will prepare a Payment Certificate releasing the Statutory Holdback. Prior to issuing the Release of Holdback Certificate, we will require the following documentation:

- Proof of publication of Substantial Performance;
- Current WSIB Certificate;
- Current Statutory Declaration;
- Request for the release of the Statutory Holdback (a payment application);
- A Contract Release Form releasing the Owner from all future claims relating to the contract with any exceptions (deficiencies, outstanding work, claims, etc.); and
- Confirmation that there are no outstanding un-resolved third party or insurance claims.

Once all the documentation has been received and is in good order, and upon expiration of the 60-day lien period, the statutory holdback will be released.

Per Clause D.1.16 of Document D (General Requirements) in the Contract Documents, the contractual warranty period is twelve (12) months from the date of Substantial Performance.

Yours truly,

Neegan Burnside Ltd.

Dawson M. Cutting, C.Tech.
Assistant Contract Administrator
DMC/MJP:aec

Matthew J. Paznar, P.Eng., EP
Vice President & Consultant Project Manager

Enclosure(s) FORM 9 -Certificate of Substantial Performance of the Contract

cc: Rick Hirschegger, Matheson Constructors Limited (enc.)
(Via Email: rhirschegger@mathesonconstructors.com)

Pamela Clark, Matheson Constructors Limited (enc.)
(Via Email: pclark@mathesonconstructors.com)

Michael Giordano, Matheson Constructors Limited (enc.)
(Via Email: mgiordano@mathesonconstructors.com)

Cody Taylor, Matheson Constructors Limited (enc.)
(Via Email: ctaylor@mathesonconstructors.com)

Mark McPhee, Neegan Burnside Ltd. (enc.)
(Via Email: mark.mcphee@rjburnside.com)

Daniel Koetsier, P.Eng., Neegan Burnside Ltd. (enc.)
(Via Email: daniel.koetsier@neeganburnside.com)

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

Construction Act

District of Thunder Bay, Ontario ,
(County/District/Regional Municipality/Town/City in which premises are situated)

78 Pic River Rd. P.O. Box 193, Biigtigong Nishnaabeg, Heron Bay, ON, P0T 1R0 ,
(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:

Water Supply and Treatment Project
(short description of the improvement)

to the above premises was substantially performed on **November 6, 2026** .
(date substantially performed)

Date certificate signed: November 6, 2026

Matthew Pozzo

(payment certifier where there is one)

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

Name of owner: **Biigtigong Nishnaabeg**

Address for service: **78 Pic River Rd. P.O. Box 193, Biigtigong Nishnaabeg, Heron Bay, ON P0T 1R0**

Name of contractor: **Matheson Constructors Limited**

Address for service: **531 Notre Dame Ave, Sudbury, ON, P3C 5L1**

Name of payment certifier (where applicable): **Neegan Burnside Ltd.**

Address: **15 Townline, Orangeville, ON, L9W 3R4**

(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:

78 Pic River Rd. P.O. Box 193, Biigtigong Nishnaabeg, Heron Bay, ON, P0T 1R0
(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)