

APPENDIX "C"



CERTIFICATE OF SUBSTANTIAL PERFORMANCE (Form 7 – Construction Remedies Act, S.N.B. 2020, c.29, s.42)

Town in which land is located: Town of Riverview

County in which land is located: Albert County

Civic address/location of the land: Sussex Avenue

Contract Name/Description of the improvement: Water Main Renewal and Sidewalk

Contract No: 25-90

Name of the Owner: Town of Riverview
Address for service: 30 Honour House Court
Riverview, NB
E1B 3Y9
c/o Annette Crummey, Director/Town Clerk

Name of Contractor: Birch Hill Construction Ltd.
Address for service: 11 McElroy Street
Moncton, NB E1C 9T2

Name of Project Engineer (Payment Certifier): Terry Cormier
Address: Mentra Consultants Ltd.
22 Atkinson Court
Shediac Cape- NB E4P 8X5

I, Terry Cormier, Project Engineer, as per the *Construction Remedies Act*, SNB 2020, c 29 (the "Act") do hereby certify that all works required under this contract are "Substantially Performed" as of the 30th day of October 2025. It is understood that the "warranty and maintenance period" commences as of this date and that the following contract requirements have been fully met;

- a. All sewer mains have passed sewer leakage tests, which were carried out on N/A. (Attach completed Appendix "A")
- b. All required CCTV sewer video inspections were completed on September 18th and the video and video reports have been distributed as required. I hereby certify that the condition of the sewer meets or exceeds the requirements as outlined in the latest edition of the Town of Riverview Standard Municipal Specifications.
- c. All water mains have passed water pressure and bacteriological tests, which were carried out on July 24 + 31, 2025. (Attach completed Appendix "B")
August 1st + 28, 2025



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- d. All product and material tests conducted throughout the works of this contract have been reviewed and submitted. I hereby certify that the condition of the works meets or exceeds the requirements as outlined in the latest edition of the Town of Riverview Standard Municipal Specifications.
- e. Department of Environment Certificate of Approval, *if any*, and any applicable watercourse alteration approvals are attached.
- f. A letter from the Workers Compensation Board is attached, stating that the contractor whose name appears on the Certificate of Substantial Performance is in good standing and has paid all required premiums in full.

2. A complete inspection of the works was carried out on November 3, 2025 and those present were: Paul Richard, Jeff Shree, Terry Cormier,
Nicholas Robichaud

The deficiency list was prepared. Yes ☒ No ☐ (If yes, please attach). All items on the attached deficiency list have been addressed by the contractor and an additional inspection conducted on November 13, 2025 by Nicholas Robichaud, confirmed that all deficiencies have been corrected and all work completed under this contract to date, meets or exceeds standards as required in the latest edition of the Town of Riverview Standard Municipal Specifications.

-OR -

3. The total contract price is: \$1,617,576.00 and as per the Act, the contract is considered substantially performed when the cost to complete the contract and the cost to correct all know defect are less than the following:
- (i) 3% of the first \$250,000 of the contract price,
 - (ii) 2% of the next \$250,000 of the contract price, and
 - (iii) 1% of the balance of the contract price.

Based on the above, the cost to complete the contract and the cost to correct all know defects are: 0 which is less than _____.

4. Is this contract entirely complete? Yes ☒ No ☐
If any portion of this contract is not entirely completed, a separate written list identifying all uncompleted items explaining the particulars must accompany this certificate.

5. The release of holdback will become due 60 days from the date of signing of this certificate, being the 29th day of December 2025.

Dated: November 25, 2025

Signed: _____

Project Engineer

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We, the undersigned, do hereby certify that all matters relating to this contract have been completed to our satisfaction and that this Certificate of "Substantial Performance" can be issued.

Date: Dec 1 - 2025 Signed: [Signature]
Director Engineering & Works

Cc: Owner
Contractor
Consultant