



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

Street/location of the land: Hillsborough Road

Contract Name: Hillsborough Road Watermain Renewal

Contract No: 23-84

Name of the Owner: Town of Riverview  
Address for service: 30 Honour House Court  
Riverview, NB  
E1B 3Y9

Name of Contractor: LCL Excavation (2006) Inc.  
Address for service: 214 Craig Rd.  
PO Box 2074  
Charlo, NB E8E 2W8

I, Dave Aube, Project Engineer, as per the *Construction Remedies Act*, do hereby certify that all works required under this contract are "Substantially Performed" as of the 5th day of July 2023. 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 N/A 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 May 9, May 30 and June 12, 2023. (Attach completed Appendix "B")
- 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.



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2. A complete inspection of the works was carried out on July 12, 2023, and those present were: Stephane Hebert (LCL), Paul Richard (Town of Riverview), Doug Arbeau (Englobe), Dave Aube (Englobe)

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 \_\_\_\_\_, by \_\_\_\_\_, 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: \$1,424,450.00 and as per the *Construction Remedies 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: \$15,000.00 which is less than \$21,744.50.

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.  
Some landscaping, one water service connection (issues finding existing) and all deficiencies on the attached deficiency list.

5. The release of holdback will become due 60 days from the date of signing of this certificate, being the 3rd day of September 2023.

Dated: July 13, 2023 Signed: Dave Aube  
Project Engineer

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: Aug 9, 2023 Signed: [Signature]  
Director Engineering & Works

Cc: Owner  
Contractor  
Consultant