



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: McAllister Park

Contract Name/Description of the improvement: Riverview Storm Sewer Improvement and Infrastructure Renewal - McAllister Park - Various Streets

Contract No: #24-69

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

Name of Contractor: Foulem Construction  
Address for service: 392 St-Pierre Ouest Boulevard  
Caraquet, NB E1W 1B7

Name of Project Engineer (Payment Certifier): David Kozak  
Address: EXP Services Inc.  
555 Mapleton Rd  
Moncton, NB E1G 2K5

I, David Kozak, 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 7 day of October 2024. 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 Not Applicable. (Attach completed Appendix "A")
- b. All required CCTV sewer video inspections were completed on July 3<sup>rd</sup>, July 5<sup>th</sup>, August 7<sup>th</sup> & August 20<sup>th</sup> 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 Not Applicable. (Attach completed Appendix "B")



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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 September 19, 2024, and those present were: David Kozak, Steven LeBouthillier, Jean-Jacques Michon, Megan Kent

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 -

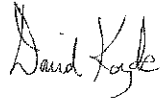
3. The total contract price is: \$1,892,430.00 and as per the Act, the contract is considered substantially performed when the cost to complete the contract and the cost to correct all know defect are less than the following:  
(i) 3% of the first \$250,000 of the contract price,  
(ii) 2% of the next \$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: \$12,750.00 which is less than \$26,424.30

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 6 day of December 2024.

Dated: October 7, 2024

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: Oct 8, 2024 Signed:   
Director Engineering & Works

Cc: Owner  
Contractor  
Consultant



September 19, 2024

MON-23015853-A0

Jean-Jacques Michon, P. Tech.  
Project Manager  
Foulem Construction  
392 St-Pierre Ouest Boulevard  
Caraquet, NB E1W 1B7

**Re: Contract #24-69 Riverview Storm Sewer Improvement and Infrastructure Renewal - McAllister Park - Various Streets Substantial Completion Site Review**

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Dear Jean-Jacques Michon,

A Substantial Completion site review was performed on September 19, 2024, with the following present:

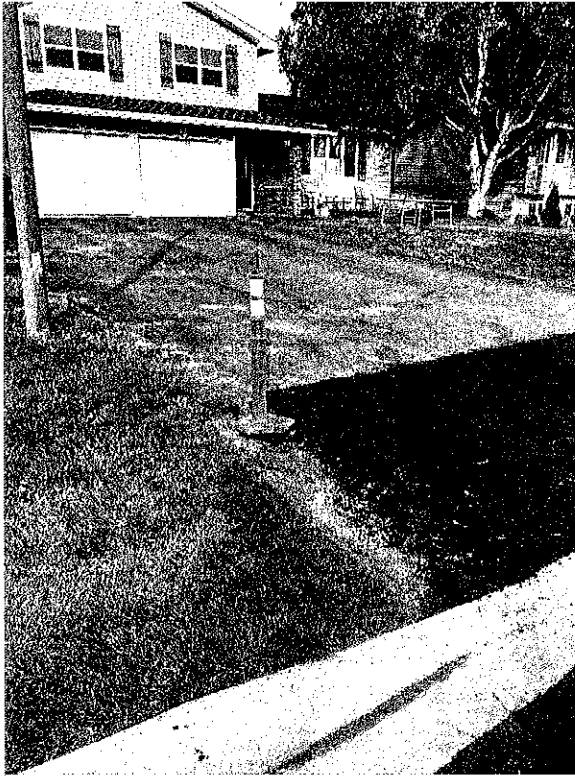
<b>Steven LeBouthillier</b>	-	<b>Town of Riverview</b>
<b>Jean-Jacques Michon</b>	-	<b>Foulem Construction</b>
<b>David Kozak</b>	-	<b>EXP Services Inc.</b>
<b>Megan Kent</b>	-	<b>EXP Services Inc.</b>

The following items are to be addressed by the contractor expeditiously and to the satisfaction of the Engineer.

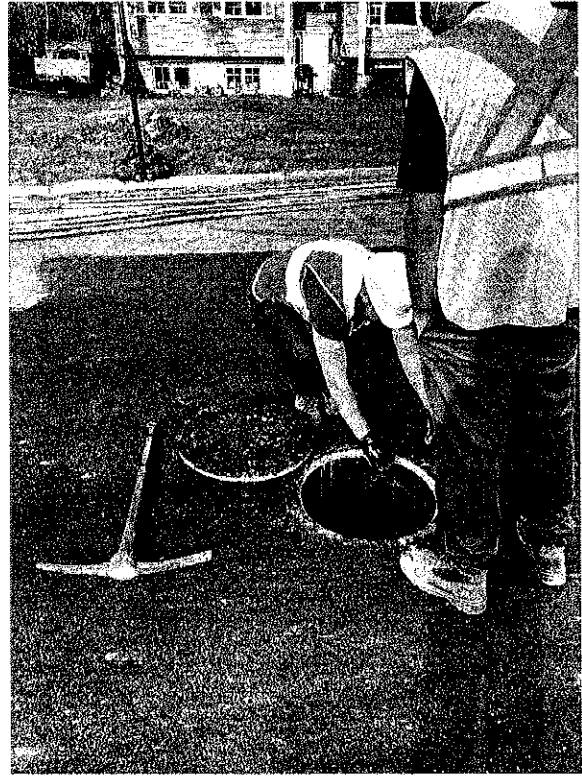
1. Complete driveway asphalt at civic 39 Keefe and add saw cut in the curb at this location.
2. Clean the manhole covers for the following structures:
  - a. STM-M2004
  - b. STM-M2005
  - c. STM-M2006
  - d. STM-M2016
  - e. STM-M2010
  - f. STM-M2013
3. Watering of all sod
4. Secure chipped curb edge at civic 36 Keefe
- ~~5. Cut excess fabric at CB5~~
6. Monitor asphalt segregation at the following locations:
  - a. Civic 39 Grindstone driveway

- b. STA 1+220 to 1+280 Grindstone
  - c. McAllister road (North end)
7. Use approved sealant/epoxy in the following cracks in the curb:
- a. Civic 27 Grindstone
  - b. Civic 23 Grindstone
  - c. Sta 1+180
  - d. Civic 3 Keefe
  - e. Civic 416 McAllister
  - f. CB7
  - g. Civic 420 (four total)
  - h. Civic 428 McAllister
  - i. Civic 441 McAllister
  - j. CB12
8. Shorten drainage tile in the following catch basins:
- ~~a. CB2~~
  - b. CB9
  - c. CB12
9. Monitor STM-M2015 frame tilt.
10. Check CB8 for ICD requirement.
- ~~11. Adjust water curb stops.~~
- ~~12. Lower existing sanitary manhole beside M1866.~~
13. Monitor seal asphalt at civic 10 Wallace.
- ~~14. Remove dead branch at Civic 521 McAllister.~~

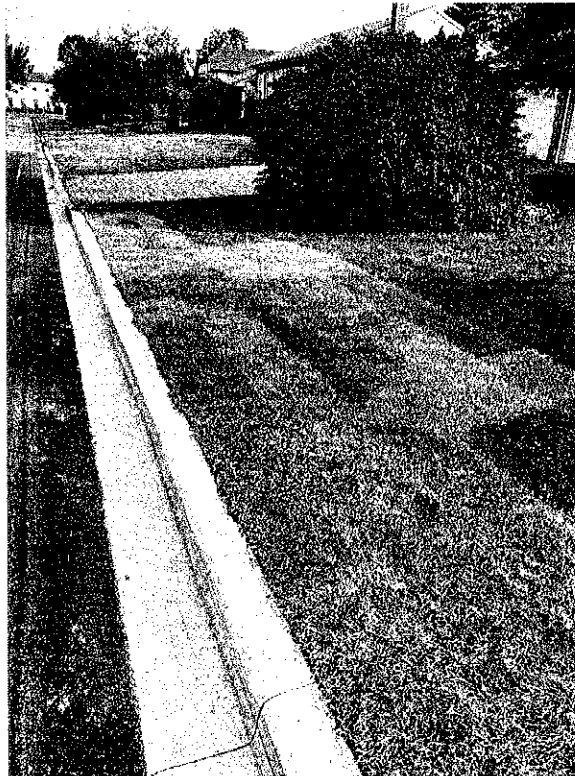
Photos:



Item No. 1



Item No. 2a



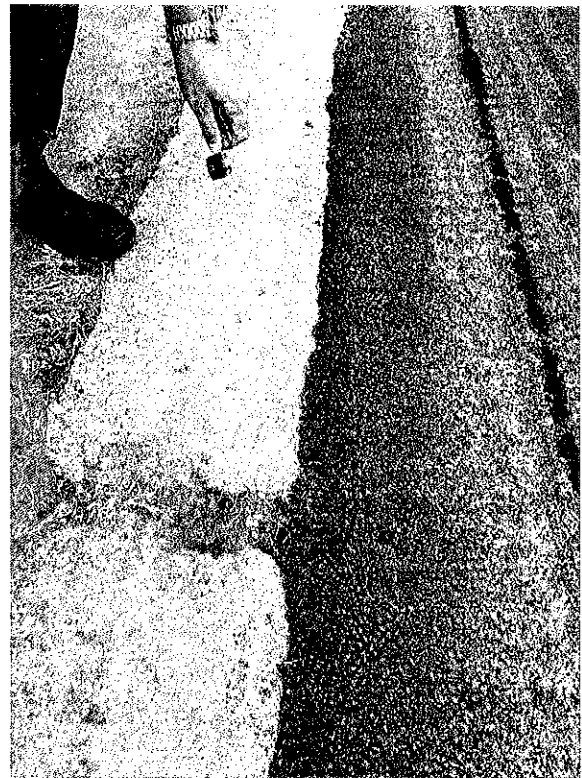
Item No. 3



Item No. 4



Item No. 5



Item No. 6a



Item No. 7a



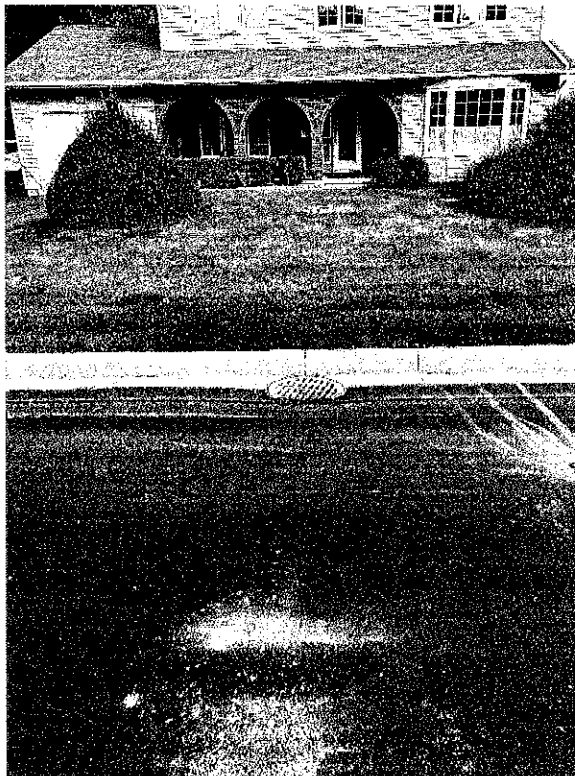
Item No. 7b



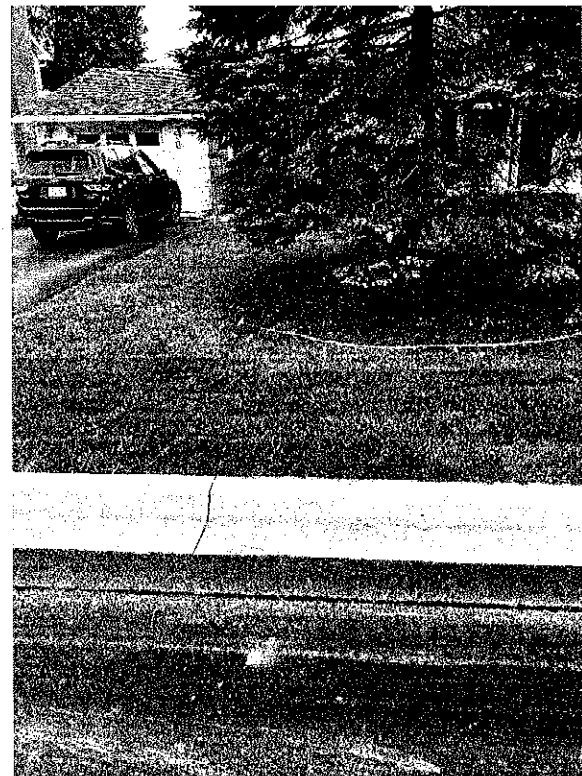
Item No. 7c



Item No. 7d



Item No. 7f



Item No. 7g





Item No. 7g



Item No. 7h



Item No. 7i



Item No. 7j



Item No. 8a



Item No. 9



Item No. 13

Please advise the consultant when the above noted items have been addressed.

Sincerely,

Megan Kent, E.I.T.  
EXP Services Inc.

**SUBSTANTIAL COMPLETION DEFICIENCY RETENTION ESTIMATE**

**CONTRACT: Riverview Storm Sewer Improvement and Infrastructure Renewal**

**McAllister Park - Various Streets**

**Contract #24-69**

OWNER: Town of Riverview

DATE: September 29, 2024

CONTRACTOR: Foulém Construction Ltée

CONSULTANT: EXP Services Inc.

BY: JNC

ITEM NO.	DESCRIPTION	UNIT OF MEASURE	EST. QUANTITY	UNIT RATE	ESTIMATED AMOUNT
1	Complete driveway asphalt at civic 39 Keefe and add saw cut in the curb at this location. (COMPLETED 09/20/2024)	Lump Sum	1	\$ 3,000.00	\$ 3,000.00
2	Clean the manhole covers for the following structures: a. STM-M2004 (COMPLETED 09/20/2024) b. STM-M2005 (COMPLETED 09/20/2024) c. STM-M2006 (COMPLETED 09/20/2024) d. STM-M2016 (COMPLETED 09/20/2024) e. STM-M2010 (COMPLETED 09/20/2024) f. STM-M2013 (COMPLETED 09/20/2024)	Lump Sum	1	\$ 3,000.00	\$ 3,000.00
3	Watering of all sod (COMPLETED 09/25/2024)	Lump Sum	1	\$ 1,500.00	\$ 1,500.00
4	Secure chipped curb edge at civic 36 Keefe	Lump Sum	1	\$ 500.00	\$ 500.00
5	Cut excess fabric at CB5 (COMPLETED 09/19/2024)	Lump Sum	1	\$ 250.00	\$ 250.00
6	Monitor asphalt segregation at the following locations: a. Civic 39 Grindstone Driveway b. Station 1+220 to 1+280 Grindstone c. McAllister Road (north)	Lump Sum	1	\$ -	\$ -
7	Use approved sealant/expoxy in the following cracks in the curb: a. Civic 27 Grindstone Drive b. Civic 23 Grindstone Drive c. Station 1+180 Civic 23 Grindstone Drive d. Civic 3 Keefe Court e. Civic 416 McAllister Road f. CB7 Civic 416 McAllister Road g. Civic 420 (four total) McAllister Road h. Civic 428 McAllister Road i. Civic 441 McAllister Road j. CB12 Civic 18 Wallace Court	Lump Sum	1	\$ 2,500.00	\$ 2,500.00
8	Shorten drainage tile in the following catch basins: a. CB2 (COMPLETED 09/19/2024) b. CB9 (COMPLETED 09/19/2024) c. CB12 (COMPLETED 09/19/2024)	Lump Sum	1	\$ 750.00	\$ 750.00
9	Monitor STM-M2015 frame tilt	Lump Sum	1	\$ -	\$ -
10	Check CB8 for ICD requirement	Lump Sum	1	\$ 1,000.00	\$ 1,000.00
11	Adjust water curb stops (COMPLETED 09/19/2024)	Lump Sum	1	\$ 1,000.00	\$ -
12	Lower existing sanitary manhole beside M1866 (COMPLETED 09/19/2024)	Lump Sum	1	\$ 500.00	\$ -
13	Monitor seal asphalt at Civic 10 Wallace Court	Lump Sum	1	\$ -	\$ -
14	Remove dead branch at Civic 521 McAllister Road (COMPLETED 09/19/2024)	Lump Sum	1	\$ 250.00	\$ 250.00
<b>Subtotal</b>					\$ 12,750.00
<b>HST (15%)</b>					\$ 1,912.50
<b>TOTAL (taxes included)</b>					\$ 14,662.50