

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

*Construction Act*

Toronto - Ontario

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

81 Wellesley St. E, Toronto, Ontario

(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:

Supply and Installation of Miscellaneous Metals

(short description of the improvement)

to the above premises was substantially performed on 06/13/2023

(date substantially performed)

Date certificate signed: JUNE 13, 2023

(payment certifier where there is one)

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

Name of owner: Aragon (Wellesley) Development (Ontario) Corporation

Address for service: 201 - 142 St. Helens Ave, Toronto, Ontario, M6H 0B9

Name of contractor: F.M. Railings & Welding Inc.

Address for service: 6422 9th Line, R.R. #2. Beeton, Ontario L0G 1A0

Name of payment certifier (where applicable): Aragon Construction Management Corporation

Address: 201 - 142 St. Helens Ave, Toronto, Ontario, M6H 0B9

(Use A or B, whichever is appropriate)

☒ A. Identification of premises for preservation of liens:

81 Wellesley St. E, Toronto, Ontario

(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:

(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)

**FM RAILINGS & WELDING INC.**

6422 9TH LINE

R.R. #2

BEETON, ONTARIO L0G 1A0

Canada

**INVOICE**

Invoice No.: 20565

Date: 04/07/2023

Ship Date:

Page: 1

Re: Order No.

**Sold to:****Aragon (Wellesley) Development (Ontario) Corporation**

142 St. Helens Avenue

Unit 201

Toronto, Ontario M6H 0B9

**Ship to:****Aragon (Wellesley) Development (Ontario) Corporation**

142 St. Helens Avenue

Unit 201

Toronto, Ontario M6H 0B9

**Business No.:** 815201850 RP0001

Item No.	Unit	Quantity	Description	Tax	Unit Price	Amount
		1	Miscellaneous Metals - 81 Wellesley Total Amount of Contract - \$542,700 Holdback Release	H	54,270.00	54,270.00
			H - HST 13% HST			7,055.10
FM RAILINGS & WELDING INC. HST #HST						
Shipped By: Tracking Number:					Total Amount	61,325.10
Comment: Please make cheques payable to F.M. Railings & Welding Inc					Amount Paid	0.00
Sold By:					Amount Owning	61,325.10

# Statutory Declaration of Progress Payment Distribution by Contractor

Standard Construction Document

**CCDC 9A - 2018**

To be made by the Contractor as a condition for either

- ☐ second and subsequent progress payments; or  
☒ release of holdback.

Application for payment number 20565  
dated April 7, 2023 is the last  
application for payment for which the Contractor has  
received payment.

## Information Appearing in the Contract Documents

Name of Project

Miscellaneous Metals - 81 Wellesley

Date of Contract: Nov 5, 2021

Name of Owner

Aragon (Wellesley) Development (Ontario) Corporation

Name of Contractor

F.M. Railings & Welding Inc.

## Declaration

I solemnly declare that, as of the date of this declaration, I am an authorized signing officer, partner or sole proprietor of the Contractor, and as such have authority to bind the Contractor, and have personal knowledge of the fact that all accounts for labour, subcontracts, products, services, and construction machinery and equipment which have been incurred directly by the Contractor in the performance of the work as required by the Contract, and for which the Owner might in any way be held responsible, have been paid in full as required by the Contract up to and including the latest progress payment received, as identified above, except for:

- 1) holdback monies properly retained,
- 2) payments deferred by agreement, or
- 3) payment withheld by reason of legitimate dispute which has been identified to the party or parties from whom payment has been withheld.

I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath.

Declared before me in AURORA, ONTARIO this 20<sup>th</sup> day of APRIL in the year 2023  
City/Town and Province


Frank Maestre

Name

President

Title

Signature

  
(A Commissioner for Oaths, Notary Public, Justice of the Peace, etc.)

Michelle Ann Blotti, a Commissioner, etc.,  
Province of Ontario, for Michelle E. Hubert  
Professional Corporation, Barrister and Solicitor,  
Expires March 15, 2026.

**The making of a false or fraudulent declaration is a contravention of the Criminal Code of Canada, and could carry, upon conviction, penalties including fines or imprisonment.**

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## Your clearance(s) / Vos certificats de décharge

We confirm that the business(es) listed below are active and in good standing with us.  
Nous confirmons que la ou les entreprises énumérées ci-dessous sont actives et que leurs comptes sont en règle.

Contractor legal or trade name / Raison sociale ou appellation commerciale de l'entrepreneur	Contractor address / Adresse de l'entrepreneur	Contractor NAICS Code and Code Description / Code du SCIAN de l'entrepreneur et description	Clearance certificate number / Numéro du certificat de décharge	Validity period (dd-mm-yyyy) / Période de validité (jj- mmm-aaaa)
F.M. RAILINGS & WELDING INC.	6422 9TH LINE RR 2, BEETON, ON, L0G1A0, CA	238190: Other foundation, structure and building exterior contractors	A00001JUAN	20-May-2023 to 19-Aug-2023

Under Section 141 of the *Workplace Safety and Insurance Act*, the WSIB waives our right to hold the principal (the business that has entered into a contractual agreement with the contractor/subcontractor) liable for any unpaid premiums and other amounts the contractor may owe us for the validity period specified.  
Aux termes de l'article 141 de la *Loi sur la sécurité professionnelle et l'assurance contre les accidents du travail*, la WSIB renonce à son droit de tenir l'entrepreneur principal (l'entreprise qui a conclu une entente contractuelle avec l'entrepreneur ou le sous-traitant) responsable de toute prime impayée et autre montant que l'entrepreneur pourrait lui devoir pour la période de validité indiquée.

WSIB Head Office: 200 Front Street West  
Toronto, Ontario, Canada M5V 3J1

Siège social : 200, rue Front Ouest  
Toronto (Ontario) Canada M5V 3J1

1-800-387-0750 | TTY/ATS 1-800-387-0050  
employeraccounts@wsib.on.ca | wsib.ca

**FM RAILINGS & WELDING INC.**

6422 9TH LINE  
R.R. #2  
BEETON, ONTARIO L0G 1A0  
Canada

**INVOICE**

Invoice No.: 20566  
Date: 04/07/2023  
Ship Date:  
Page: 1  
Re: Order No.

**Sold to:**

Aragon (Wellesley) Development (Ontario) Corporation  
142 St. Helens Avenue  
Unit 201  
Toronto, Ontario M6H 0B9

**Ship to:**

Aragon (Wellesley) Development (Ontario) Corporation  
142 St. Helens Avenue  
Unit 201  
Toronto, Ontario M6H 0B9

Business No.: 815201850 RP0001

Item No.	Unit	Quantity	Description	Tax	Unit Price	Amount
			81 Wellesley			
1			Holdback Release - Change Order #1	H	229.50	229.50
1			Holdback Release - Change Order #2	H	5,300.00	5,300.00
1			Holdback Release - Change Order #3	H	780.00	780.00
1			Holdback Release - Change Order #5	H	450.00	450.00
1			Holdback Release - Change Order #6	H	1,750.00	1,750.00
1			Holdback Release - Change Order #7	H	990.30	990.30
1			Holdback Release - Change Order #8	H	2,050.00	2,050.00
1			Holdback Release - Change Order #9	H	310.00	310.00
1			Holdback Release - Change Order #10	H	340.00	340.00
1			Holdback Release - Change Order #11	H	2,250.00	2,250.00
1			Holdback Release - Change Order #12	H	350.00	350.00
1			Holdback Release - Change Order #13	H	3,600.00	3,600.00
1			Holdback Release - Change Order #14	H	2,300.00	2,300.00
1			Holdback Release - Change Order #15	H	1,435.00	1,435.00
1			Holdback Release - Change Order #16	H	400.00	400.00
			H - HST 13%			
			HST			2,929.53
FM RAILINGS & WELDING INC. HST #HST						
Shipped By: Tracking Number:					Total Amount	25,464.33
Comment: Please make cheques payable to F.M. Railings & Welding Inc					Amount Paid	0.00
Sold By:					Amount Owning	25,464.33

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Name of Project

Miscellaneous Metals - 81 Wellesley

Date of Contract: Nov 5, 2021

Application for payment number 20566

dated April 7, 2023 is the last

application for payment for which the Contractor has received payment.

Name of Owner

Aragon (Wellesley) Development (Ontario) Corporation

Name of Contractor

F.M. Railings & Welding Inc.

## Declaration

I solemnly declare that, as of the date of this declaration, I am an authorized signing officer, partner or sole proprietor of the Contractor, and as such have authority to bind the Contractor, and have personal knowledge of the fact that all accounts for labour, subcontracts, products, services, and construction machinery and equipment which have been incurred directly by the Contractor in the performance of the work as required by the Contract, and for which the Owner might in any way be held responsible, have been paid in full as required by the Contract up to and including the latest progress payment received, as identified above, except for:

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Declared before me in AURORA, ONTARIO this 20th day of APRIL in the year 2023  
City/Town and Province

Frank Maestre

Name

President

Title

Signature

(A Commissioner for Oaths, Notary Public, Justice of the Peace, etc.)

Michelle Ann Blott, a Commissioner, etc.,

Province of Ontario, for Michelle E. Hubert

Professional Corporation, Barrister and Solicitor,

Expires March 15, 2026.

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