

Ord 574

An Ordinance authorizing the Mayor and Council of the City of Albany, Oregon, to enter into a contract with the Warren Construction Company with reference to the improvement of the street in said City from the East Curb Line of Calapooia Street to the West Curb Line of Railroad Street.

The People of the City of Albany do Ordain as follows:

Whereas, by Ordinance No. 570 of the City of Albany, Oregon, passed by the Board on the 13th day of March, 1912, and approved by the Mayor on the 14th day of March, 1912, it was ordered that the following street in said City of Albany, to-wit: Seventh Street from the east curb line of Calapooia Street to the west curb line of Railroad Street, except the intersections with Lyon, Commercial, Brocade, Ferry and Washington Streets, be improved in the following manner, to-wit:

First: By grading said street to the proper subgrade.

Second: By paving the roadway of said street full width with gravel beneath the pavement.

Third: By laying and constructing gravel Bitulithic Road.

Fourth: By constructing catch basins

Fifth: By constructing inlets.

Sixth: By laying vitrified sewer pipe.

Seventh: By laying wooden pavement steps.

Said improvements to be made in accordance with the plans and ordinances of the City of Albany, Oregon, and the plans and specifications and estimates of the City Engineer then on file with the City Recorder of said City of Albany, and,

Whereas it was provided in said ordinance that the execution of said improvements for the making of said improvements in the manner herein set forth and such other matters, and

Whereas, after due notice and advertisement for bids made and given to the City Engineer of said City according to an Ordinance last aforesaid, to-wit: On the 27th day of March, 1912, the Warren Construction Company, incorporation of Portland, Oregon, present to the Council of said City, its bid for making

said improvement, which bid was made in due form and in conformity with the conditions imposed by law and the Council, by which said bid was made. Construction Company proposed to furnish all material and implements, and to furnish the labor necessary to make the above described improvement for the following material prices:

Excavation, per cubic yard,	\$ 0.75
Fill, per cubic yard,	\$ 0.20
Gravel Bitulitic base, per square yard,	\$ 1.55
Gravel Bitulitic base, per inch of foot,	\$ 0.37
Catch basins, each,	\$ 20.00
Inlets, each,	\$ 8.10
Gravel vitrified sewer pipe, per inch of foot,	\$ 0.55

And whereas said Warren Construction Company was the lowest bidder for said proposed work and said bid was the lowest and best thereof.

Section 1. That the said bid of the Warren Construction Company in said improvement of said described street be and the same is hereby accepted, and the Mayor and Recorder of said City are hereby authorized to enter into a contract in writing with the said Warren Construction Company, for the making of said improvement as aforesaid, on behalf of the City of Albany, Oregon, upon the terms mentioned in said bid and the advertisement in above mentioned.

Said contract provide further, that the work of said improvement shall commence within thirty days after the signing of said contract, and be prosecuted with such vigor that all the work embraced in said contract, shall be entirely completed on or before the 1st day of June, 1912, and the City of Albany, Oregon, shall be deemed to suffer damages to the extent of \$25,000, unless for every day the work is delayed beyond said specified time; and that the Warren Construction Company receive a bond in the sum of \$20,000.00 to be approved by the Mayor of the City of Albany, Oregon, having as surety some Surety Company with its principal business in the State of Oregon, and liable for the performance of said contract, with the part of the Warren Construction Company, and for the indemnifying the City of Albany against any and all claims for labor, work or materials on the part of any person in connection with said contract.

Attest
 F. P. Van Tassel
 Recorder of the City of Albany

Witness the Council this 11th day of April, 1912.
 Approved by the Mayor
 J. P. [Signature]
 Mayor of the City of Albany.

CITY RECORDER'S CERTIFICATE

STATE OF OREGON,

COUNTY OF LINN.

I, *F. L. Van Tassel*, Recorder of the City of Albany, in Linn County, and

State of Oregon, do hereby certify that the foregoing and annexed copy of

Ordinance No. 574

has been by me carefully compared with the original. *Ordinance Bill No. 636* now on file in my office, and that it is a true and correct copy of all and the whole of said

Ordinance Bill No. 636, as passed by the Council of the City of Albany, Oregon, April 10th 1912

WITNESS, my hand and official signature and the seal of the City of Albany, this

11th day of *April* 1912

F. L. Van Tassel
Recorder of the City of Albany.