

ORDINANCE NO. 1140

A BILL FOR AN ORDINANCE Authorizing the Mayor and Recorder of the City of Albany, Oregon, to enter into a contract with Guy F. Pyle for the improvement of the Alley through Block Four in the City of Albany, Oregon, and declaring an emergency.

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

WHEREAS, By Ordinance No. 1129 of the City of Albany, Oregon, it was ordered that the following alley in the City of Albany, Oregon, to-wit: the Alley through Block Four, be improved in the following manner, to-wit:

- 1. By grading said alley to the proper subgrade.
2. By paving said alley full width with Portland cement concrete pavement, or by paving said alley full width with 2 inch Warrenite bitulithic wearing surface pavement on a 3 inch black base, or by paving said alley full width with a 2 inch Warrenite bitulithic wearing surface pavement on a 4 inch compressed crushed rock base, or by paving said alley full width with 2 inch Warrenite bitulithic wearing surface pavement on a 4 inch compressed crushed gravel or gravel base.
3. By laying wooden headers.
4. By laying 6 inch vitrified sewer pipe.
5. By constructing inlets.
6. By tapping sewers.

Said improvement to be made in accordance with the charter and ordinances of the City of Albany on the plans, specifications and estimates of Engineer Charles H. Leonard, then on file with the Recorder of the City of Albany; and

WHEREAS, It was provided in said ordinance that the Recorder of the City of Albany give notice for bids for the making of said improvement in the manner provided by law and by said ordinance; and

WHEREAS, After due notice and advertisement for bids made and given by the Recorder of the City of Albany according to law and the ordinance last aforesaid, to-wit: on the 9 day of July, 1924, Guy F. Pyle, presented to the Council of the City of Albany, Oregon, a bid for making said improvement with 2 inch Warrenite bitulithic wearing surface pavement on a 3 inch black base which bid was made in due form and in conformity with all the conditions imposed by law and the Council, by which said bid Guy F. Pyle proposed to furnish all material and implements and perform the labor necessary to make the above described improvement with 2 inch Warrenite bitulithic wearing surface pavement in a 3 inch black base for the following named prices, to-wit:

Table with 2 columns: Description of work and Price. Items include: 212 cubic yds. excavation @ \$1.00 per yd. (\$212.00), 591.8 sq. yds. of pavement, 2 inch Warrenite bitulithic on 3 inch black base No. 1, \$2.38 per sq. yd. (\$1408.48), 16 lineal ft. 6 inch vitrified sewer pipe at 80¢ per lineal foot. (\$12.80), 1 Inlet (\$30.00), 1 Sewer Tapping (\$10.00), 134 lineal ft. of Woodey headers 25 cts. per foot. (\$33.50)

AND WHEREAS, Said Guy F. Pyle was the lowest responsible bidder for said proposed work and said bid was the lowest and best bid therefor, and

WHEREAS, The Common Council of the City of Albany, Linn County, Oregon, did in and by Resolution No. 26 heretofore duly and regularly adopted has designated and selected as the type of improvement to be made on said alley the follow-

ORDINANCE NO. 1140

being described: 2 inch warrenite bitulithic wearing surface pavement in a 3 inch black base.

Section 1. That the bid of Guy F. Pyle for said improvement of said improvement of said Alley through Block Four in the City of Albany with 2 inch Warrenite bitulithic wearing surface pavement on a 3 inch black base 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 Guy F. Pyle for the making of said improvement with 2 inch Warrenite bitulithic wearing surface pavement on a 3 inch black base on behalf of the City of Albany, Oregon, upon the terms in said bid hereinabove mentioned.

Section 2. Said contract to provide further that the work of said improvement shall commence within then days after the signing of said contract and shall be prosecuted with such vigor that all the work embraced in said contract shall be entirely completed on or before the 1st. day of October, 1924 and the City of Albany, Oregon, shall be deemed to suffer damages to the extent of Ten Dollars (\$10) per day for each and every day the work is delayed beyond said specified time, and that Guy F. Pyle furnish a bond in a sum equal to Fifty per cent (50%) of the proposal of the contractor, to be approved by the Mayor of the City of Albany, Oregon, having as surety some surety company authorized to do business in the State of Oregon conditioned for the faithful performance of said contract on the part of Guy F. Pyle, and further indemnifying the City of Albany against any claim or lien for labor, work or material on the part of any person, firm or corporation, arising out of said contract.

Section 3. WHEREAS, It is necessary for the public peace, health and safety of the people of the City of Albany that the foregoing improvement be immediately constructed and therefore an emergency exists and one is hereby declared to exist and this ordinance shall go into full force and effect immediately upon its passage by the Council and approval by the Mayor.

Passed by the Council, July 11th. 1924

Approved by the Mayor, July 11th. 1924.

J. G. Hall,
Mayor protem

Attest: D. H. Bodino,
Recorder of the City of Albany, Oregon.

STATE OF OREGON,)
County of Linn,) ss

I, D. H. Bodino, 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. 1140 has been by me carefully compared with the original Ordinance Bill No 1238 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. 1238 passed by the Council, July 11th. 1924, and approved by the Mayor July 11, 1924.

WITNESS, my hand and official signature and the seal of the City of Albany, this 31 day of December, 1924.

D. H. Bodino
Recorder of the City of Albany.