

ORDINANCE No. 1138

AN ORDINANCE authorizing the Mayor and Recorder of the City of Albany, Oregon, to enter into a contract with U.G. Hayne for the improvement of Sherman Street, from the south line of Water Street to the north line of First Street in said City.

WHEREAS, by ordinance No. 1195, of the City of Albany, Oregon, it was ordered that the following Street in said City be improved, to-wit: Sherman Street from the south line of Water Street to the north line of First Street, in the following manner:

- 1st: By grading said street to the proper sub-grade;
- 2nd: By paving the roadway of said street, full width, with full intersections (except as noted in the plans and specifications) with Warrenite Bitulithic pavement or with Portland Cement Concrete pavement;
- 3rd: By laying and constructing pavement headers;
- 4th: By constructing concrete curbs wherever necessary;
- 5th: By constructing catch basins and inlets;
- 6th: By laying vitrified sewer pipes,
- 7th: By tapping the main sewer.

Said improvement to be made in accordance with the Charter and Ordinances of the City of Albany, Oregon, and the plans, specifications and estimates of the City Engineer 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 aforesaid, to-wit: on the 12th day of August, 1925, U.G. Hayne presented to the Council of the City of Albany his bid for making said improvement with concrete pavement, which said bid was and is in due form and in conformity with all the conditions imposed by law and the Council, by which said bid said U.G. Hayne proposed to furnish all material and implements and to perform the labor necessary to make the above described improvement with concrete pavement, for the following named prices, to-wit:

105 cubic yards excavation for concrete pavement, @ \$1.20 per cu. yd.	\$	126.00
1045 sq. yds. of concrete pavement, 6 in. thick, (See specification) @ \$2.15 per sq yd.	\$	2246.75
		<u>\$2372.75</u>

And, WHEREAS, said U.G. Hayne was the lowest and best bidder for said proposed work, and said bid was the lowest and best bid therefor,

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

Section 1. That the bid of U.G. Hayne for said improvement of said described portion of Sherman 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 U.G. Hayne for the making of said improvement with concrete pavement, on behalf of the City of Albany, Oregon, and upon the terms mentioned in said bid hereinabove mentioned.

Said contract shall provide that the work of said improvement shall commence within ten (10) 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 15th day of October, 1925, and the City of Albany, Oregon, shall be deemed to suffer damages to the extent of Ten Dollars (\$10.00) per day for each and every day the work is delayed beyond the specified time, and that the said U.G. Hayne shall furnish a bond in the sum of TWELVE HUNDRED and no/100 DOLLARS (\$1200.00), to be approved by the Mayor of the City of Albany, Oregon, conditioned for the faithful performance of the said contract on the part of said U.G. Hayne, 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.

Passed by the Council August 12, 1925,
Approved by the Mayor August 12, 1925.

ATTEST:

F.L. Nutting, Recorder.

J.H. ROBERT, Mayor

STATE OF OREGON,)
County of Linn,) ss

I, F.P. Nutting, Recorder of the City of Albany, Linn Co., Oregon, do hereby certify that the foregoing and annexed copy of ordinance no. 1138, has been by me carefully compared with the original Ordinance Bill No. 1297, now on file in my office, and that it is a true and correct copy of all of said Ordinance Bill No. 1297, passed by the Council August 12, 1925, and approved by the Mayor August 12, 1925.

WITNESS my hand and official signature and the seal of the City of Albany, this 14th day of August, 1925.

F.P. Nutting
Recorder of the City of Albany.