

Ord 888

An ordinance authorizing the Mayor and Council of the City of Albany to enter into a contract with W. S. Weary for the building and construction of a lateral sewer through Block 54, across Hill Street and through Block 43 to connect with the lateral sewer now laid in the West portion of Block 43 in Hackleman's Second Addition to the City of Albany, Oregon, according to the plans, profiles and specifications filed in the office of the Recorder of the City of Albany on the 23rd day of July, 1913.

Whereas by resolution passed of the City of Albany, Oregon, passed by the Council on the 23rd day of July, 1913, it was ordered that a lateral sewer be constructed through Block 54, across Hill Street and through Block 43 to connect with the lateral sewer now laid in the West portion of Block 43 in Hackleman's Second Addition to the City of Albany, Oregon, said improvement to be made in accordance with the Charter and ordinances of the City of Albany and the plans and specifications and estimates of the city engineer then on file in the Recorder of the City of Albany; and

Whereas it was provided by ordinance that the Recorder of the City of Albany give notice for bids to the owners 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 said ordinance on the 15th day of September, 1913, W. S. Weary presented to the Council of said city his bid for making said improvement, which bid was made in due form and in conformity with all the conditions imposed by law and by said ordinance, by which bid said W. S. Weary proposed to furnish all materials and implements and perform the labor necessary to make the above described improvement for the sum of \$450.00 or about;

Whereas W. S. Weary was the lowest bidder for said proposed work and said bid was the one found to be the lowest;

Therefore;

The People of the City of Albany do hereby enact:

Section 1. That the said bid of the said W. S. Weary for said improvement be and the same be hereby accepted and the Mayor and Recorder of the City of Albany are hereby authorized to enter into a contract in writing with the said W. S. Weary for the making of said improvement as aforesaid on behalf of the City of Albany, Oregon, upon the terms and conditions in said ordinance and contract and bid hereinabove mentioned. Said contract shall provide that the work on said sewer shall commence within

days after the signing of said contract and to be prosecuted with such vigor that all the work embraced in said contract shall be entirely completed on or before the first day of November, 1913, and the City of Albany, O., shall be deemed to suffer damages to the extent of \$5.00 per day for each and every day the work is delayed beyond said specified time.

Said contract also further provides that the said W. S. Weaver shall promptly, and true, take payment for all persons employed to do the work, labor or material for the prosecution of the business or domestic work and that the said W. S. Weaver shall not permit any lien or claim to be filed or prosecuted against the City of Albany for or on account of any material or labor or claims in the said work.

Such contract shall also contain a condition that no person shall be employed or remain less than eight hours in any one day or more than eight hours in a week unless in case of emergency when other competent labor is available and that in such cases such labor shall be paid double wages for over time.

Such contract shall also contain a condition that the contractor may be cancelled at the discretion of the City of Albany for any willful failure or refusal on the part of the said W. S. Weaver to faithfully perform the contract according to its terms.

The said W. S. Weaver shall furnish a penal bond in the sum of \$200.00 with good and sufficient sureties to be approved by the Mayor of the City of Albany, to secure the faithful performance of all the obligations of such contract and the City of Albany and particularly against any claims or liens or labor, work or material on the part of any person arising out of said contract.

Attest:
F. Van Tassel

Done at the County of De Kalb, Ga. this 20th day of 1913.

Recorder of the City of Albany

Attest: September 20th 1913.

W. S. Weaver
Mayor

Albany, Oregon

CITY RECORDER'S CERTIFICATE

STATE OF OREGON. }
COUNTY OF LINN. } SS.

I, F. E. 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. 688
has been by me carefully compared with the original Ordinance Bill No. 787
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. 787 as passed by the Council of the City of Albany, Oregon, on March 24th, 1913

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

24th day of September, 1913

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