

## ORDINANCE NO. 1618

A Bill for an ordinance authorizing the Mayor and Recorder of the City of Albany, Oregon to enter into a contract with D. F. McKenzie for the improvement of Walnut Street from the north line of Fifth Street to the south line of Fourth Street, in the City of Albany, Oregon,

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

WHEREAS, by Ordinance No. 1601 of the City of Albany, Oregon, it was ordered that the following street in said City be improved, to-wit: Walnut Street from the north line of Fifth Street to the south line of Fourth Street.

Said improvement to be made in the following manner:

1. By grading said street to the proper sub-grade.
2. By surfacing the roadway of said street full width with full intersections with crushed rock and crushed gravel base and oil mat surface.
3. By laying and constructing concrete gutters.
4. By constructing concrete curbs and sidewalks wherever necessary.
5. By installing a proper drainage system.

and in accordance with the plans, specifications and estimates of Walter W. Larsen, Engineer, then on file in the office of the Recorder of said City; and

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

WHEREAS, after due notice and advertisement for bids made and given by the Recorder according to law and the Ordinance last aforesaid, to-wit: on the 16th day of July, 1945, D. F. McKenzie presented to the Council of the City of Albany, his bid for making said improvement in the manner aforesaid, which bid was made in due form and in conformity with all the conditions imposed by law and the Council by which said bid D. F. McKenzie proposed to furnish all the material and implements and perform all the labor necessary to make the above described improvement for the following named prices, to-wit: Aggregate bid based on Engineer's estimates \$1532.90.

AND WHEREAS, the said D. F. McKenzie was the lowest bidder for said proposed work and said bid was the lowest and best bid made therefor.

Section 1. That the bid of D. F. McKenzie for the improvement of Walnut Street from the north line of Fifth Street to the south line of Fourth Street, in the City of Albany, Oregon, in the manner as specified in said Ordinance No. 1601, be and the same is hereby accepted and the Mayor and Recorder of the City of Albany are hereby authorized and directed to enter into a contract in writing with the said D. F. McKenzie for the making of said improvement on behalf of the City of Albany upon the terms mentioned in said bid hereinabove mentioned and in the manner and form provided by law.

Said contract shall provide further that the work of said improvement shall commence within ten 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 first day of September, 1945, unless further time be extended by the Council of said City, and the City of Albany, Oregon, shall be deemed to suffer damages in the amount of \$25.00 per day for each and every day said work is delayed beyond said specified time, and that the said D. F. McKenzie shall furnish a bond in the sum of \$766.45 to be approved by the Mayor of the City of Albany, Oregon, conditioned for the faithful performance of said contract on the part of the said D. F. McKenzie 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, July 16, 1945.

Approved by the Mayor, July 16, 1945.

G. C. ENDELL  
Mayor

Attest:  
C. R. Ashton  
Recorder

I, C. R. Ashton, Recorder of the City of Albany, Linn County, Oregon, do hereby certify that the above copy of Ordinance No. 1618 has been by me carefully compared with the original Ordinance Bill No. 1739, as passed by the Council, July 16, 1945 and approved by the Mayor on the 16th day of July, 1945.

Witness my hand and official signature and seal of the City of Albany, Oregon, on this 17th day of July, 1945.

C. R. Ashton  
Recorder of the City of Albany, Oregon.