

ORDINANCE NO. A 1716

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 Cleveland Street from the north line of Second Street to the south line of Front Street, and Second Street from the east line of Pine Street to the West line of Geary Street, in the City of Albany, Oregon, also Harrison Street from the north line of Second Street to the south line of First St.

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

WHEREAS, by Ordinance No. 1704 of the City of Albany, Oregon, it was ordered that the following street in said city be improved, to-wit: Cleveland St. from the north line of Second Street to the south line of Front and Second Street from the east line of Pine Street to the west line of Geary Street, also Harrison Street from the north line of Second Street to the south line of First /St.

Said improvement to be made in the following manner:

1. By grading said street to the proper grade.
2. By installing concrete curbing, gutter, and sidewalks wherever necessary.
3. By making all other proper installations to completely improve said street.
4. By paving the same with oil-mat surface.

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 22nd day of May, 1946, 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 \$14,998.70.

6 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 therefore.

Section 1. That the bid of D. F. McKenzie for the improvement of Cleveland Street from the north line of Second Street to the south line of Front Street and Second Street from the east line of Pine Street to the west line of Geary Street, in the City of Albany, Oregon, also Harrison Street from the north line of Second Street to the south line of First Street, in the manner as specified in said Ordinance No. 1704 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 1946, 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 shall furnish a bond in the sum of \$7499.35 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, May 22, 1946.

Approved by the Mayor, May 22, 1946.

Attest: C. R. ASHTON:

G. C. HOPELL, MAYOR

I, C. R. ASHTON, Recorder of the City of Albany, Oregon do hereby certify that the above Copy of Ordinance No. 1716 has been by me carefully compared with the Ordinance Bill No. 1837, as passed by the Council, May 22, 1946, and approved by the Mayor on the 22nd day of May, 1946.

Witness my hand and official signature and seal of the City of Albany, Oregon on the 22nd day of May, 1946.

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