

**ORDINANCE NO. 1911****A BILL FOR:**

AN ORDINANCE authorizing the Mayor and Recorder of the City of Albany, Oregon, to enter into a contract with Donald L. Keebler and Jack L. Keebler, dba Keebler Sand and Gravel Company, for the improvement of Twelfth Street from the West line of Washington Street to the East line of Vine Street, in the City of Albany, Oregon.

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

WHEREAS, by Ordinance No. 1908 of the City of Albany, Oregon, it was ordered that the following street in said city be improved, to-wit: Twelfth Street from the West line of Washington Street to the east line of Vine Street.

Said improvement to be made in the following manner:

1. By grading and graveling said street.
2. By laying and constructing concrete gutters, where necessary.
3. By constructing concrete curbs and sidewalks, where necessary.
4. By installing a proper drainage system.
5. By installing a suitable hard surfacing for said street.

and in accordance with the plans, specifications and estimates of Harold W. Poling, 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;

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 28th day of July, 1948, Donald L. Keebler and Jack L. Keebler dba Keebler Sand and Gravel Company 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 Donald L. Keebler and Jack L. Keebler dba Keebler Sand and Gravel Company proposed to furnish all the material and implements and perform all the labor necessary to make this above described improvement for the following named prices, to-wit:

Aggregate bid based on Engineer's estimates \$5,347.00.

AND WHEREAS, the said Donald L. Keebler and Jack L. Keebler dba Keebler Sand and Gravel Company 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 Donald L. Keebler and Jack L. Keebler dba Keebler Sand and Gravel Company for the improvement of Twelfth Street from the West line of Washington Street to the east line of Vine Street, in the City of Albany, Oregon, in the manner as specified in said Ordinance No. 1908 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 Donald L. Keebler and Jack L. Keebler dba Keebler Sand and Gravel Company 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 16th day of October 1948, 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 Donald L. Keebler and Jack L. Keebler dba Keebler Sand and Gravel Company shall furnish a bond in the sum of \$40,655.00 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 Donald L. Keebler and Jack L. Keebler, dba Keebler Sand and Gravel Company and further indemnifying the City of Albany against any claim or loss for labor, work or material on the part of any person, firm or corporation, arising out of said contract.

Passed by the Council August 11, 1948  
Approved by the Mayor August 12, 1948

ATTEST:  
Recorder

I, Rex Butler, Recorder of the City of Albany, Linn County, Oregon, do hereby certify that the above copy of the Ordinance No. 1911 has been by me carefully compared with the Ordinance Bill No. 2039, as passed by the Council August 11, 1948 and approved by the Mayor August 12, 1948.

Witness my hand and official signature and seal of the City of Albany, Oregon on the 13th day of August, 1948.

Recorder of the City of Albany, Oregon