

Entering into a contract for paving Ellsworth St.

An ordinance authorizing the Mayor and Recorder of the City of Albany, Oregon, to enter into a contract with the Warren Construction Company, for the improvement of Ellsworth St. in said city, from a North curb line of Third Street to the North Curb line of Ninth Street.

The People of the City of Albany, do ordain as follows:

Whereas by Ordinance No. 533 of the City of Albany, Oregon, passed by the Council on the 6th day of February, 1911, and approved by the Mayor on the 9th day of February, 1911. It was ordered that the following street of said City of Albany, to wit: - * #

- First: By grading said street to the proper sub grade.
- Second: By paving the roadway of said street, full width with full intersections, with Bitulithic pavement.
- Third: By laying and constructing Bitulithic Headers.
- Fourth: By constructing Catch Basins.
- Fifth: By constructing Inlets.
- Sixth: By laying vitrified sewer pipe.

Said improvements to be made in accordance with the Charter and Ordinances of the City of Albany, Oregon, and the plans and specifications and estimates of the City Engineer then on file with the City Recorder of said City of Albany, and.

Whereas: It was provided in said Ordinance that the Recorder of said City give notice for bids for the making of said improvement in the manner provided by law, and said ordinance as

Whereas: After due notice and advertisement for bids made and given by the City Recorder of said City, according to law, and the ordinance last aforesaid, to wit: - On the 22nd day of March 1911. The Warren Construction Company, a corporation of Portland, Oregon, presented to the Council of said City, its bid on making said proposed improvement, which bid was made in due form, and in conformity with all the conditions imposed by law, and by the Council, by which said bid, said Warren Construction Company, proposed to furnish all material and implements, and perform the labor necessary to make the above described improvements for the following named prices: -

Excavation, per cubic yard -	\$0.75
Fill, per cubic yard -	\$0.20
Bitulithic pavement, including the surface finishing courses.	

Ellsworth street, from the North curb line of Third Street to the North curb line of Ninth Street, to be improved in the following manner, to wit: -

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and bituminous foundation, per square yard. - - - - -	\$2.00
Bitulithic Makers, per lineal foot - - - - -	\$0.40
Catch Basins, each - - - - -	\$25.00
Inlets each - - - - -	\$12.50
Six inch vitrified sewer Pipe, per lineal foot. - - - - -	\$0.55

And Whereas: said Warren Construction Company, on the 10th day of May, 1911, agreed in open Council, to maintain and keep, in good serviceable condition the Bitulithic pavement laid by it on said street, for a period of five (5) years, also, that said sewer Pipe would be laid at a cost of 55 cents per lineal foot.

Whereas: said Warren Construction Company, was the lowest responsible bidder for said proposed work, and said bid was the lowest and best bid therefor.

Section 1. That the said bid of the Warren Construction Company for said improvement of said described 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 Warren Construction Company, for the making of said improvement as aforesaid, on behalf of the City of Albany, upon the terms mentioned in said bid; and the agreement hereinabove mentioned.

Said contract to provide further, that the work of said improvement shall commence within thirty days after the signing of said Contract, and be prosecuted with such vigor that all the work embraced in said Contract, shall be entirely completed on or before the ^{day} first of October 1911. and the City of Albany shall be deemed to suffer damages to the extent of twenty-five dollars per day for each and every day the work is delayed beyond said specified time, and that the Warren Construction Company furnish a bond in the sum of ~~two~~ five thousand dollars to be approved by the Mayor of the City of Albany Oregon; having as surety some surety company authorized to do business in the State of Oregon, conditioned for the faithful performance of said Contract, on the part of the Warren Construction Company, and furthering indemnifying the City of Albany against any claims or liens for ^{labor} work, or materials on the part of any person arising out of such contract.

Section 2: Whereas, the public health and safety requires that work be commenced on said proposed improvement ~~before the start of winter~~ at an early date, and before the winter rains render it impracticable

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to properly perform the same, an emergency is hereby declared to exist, and this ordinance shall be in full force and effect ^{from its} after its approval by the Mayor.

Passed by the Council May 21st 1911
Approved May 25th 1911

J.P. Wallace

Attest: Mayor of the City of Albany.
F. M. Redfield.

Recorder of the City of Albany.

CITY RECORDER'S CERTIFICATE

STATE OF OREGON, }
COUNTY OF LINN. } ss.

I, F. M. REDFIELD, 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. 543
has been by me carefully compared with the original Ordinance bill No. 594
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. 594 as passed by the Council of the
City of Albany, Oregon, May 24th 1911.

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

25th day of May, 1911.
F. M. Redfield
Recorder of the City of Albany.

