

## ORDINANCE NO. 544.

## Entering into a Contract for paving Washington Street

Ord No 544

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 Washington Street in said City, from South line of First Street to the North curb line of Ninth Street.

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

Whereas by Ordinance No. 535 of the City of Albany, Oregon passed by the Council on the 12<sup>th</sup> day of April, 1911, and approved by the Mayor on the 13<sup>th</sup> day of April, 1911, it was ordered that the following street of said City of Albany, to wit:-

Washington Street, from the South line of First Street to the North curb line of Ninth Street, be improved in the following manner, 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 concrete.

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 by said Ordinance.

and Whereas: after due notice and advertisement so bids made and given by the City Recorder of said City, according to Law, and the ordinance last aforesaid, to wit: on the 12<sup>th</sup> day of May, 1911, the Warren Construction Company, a corporation of Portland, Oregon presented to the Council of said City, its bid for 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 improvement, to the following named order:

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Excavation for curbing yard - - - - -	\$0.75
Fill, per cubic yard. - - - - -	0.20
Bitulithic Pavement, including the surface finishing Course and luminous foundation for square yard - - -	\$2.00
Bitulithic Headers, per linear foot - - - - -	10.40
Catch Basins, each - - - - -	\$25.00
Inlets, each - - - - -	\$12.50
Sewer Vitrified Sewer Pipe, per linear foot. - - -	\$0.70

and Whereas: Said Warren Construction Company, on the 10<sup>th</sup> day of May, 1911, agree 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 linear 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 Council 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 <sup>heretofore</sup> 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 first day 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 ten 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 further 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

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improvement at an early date, and before the written plans under it impossible to properly perform the same, an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its approval by the Mayor.

Passed by the Council. May 24<sup>th</sup> 1911.  
Approved May 25<sup>th</sup> 1911.

J.P. Wallace  
Mayor

Attest-  
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. 544  
has been by me carefully compared with the original Ordinance bill 595  
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. 595 as passed by the Council  
of the City of Albany Oregon, May 24<sup>th</sup> 1911.

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

25<sup>th</sup> day of May 1911

F.M. Redfield  
Recorder of the City of Albany.