

ORDINANCE No. 491.

Contract for paving Ellsworth Street between
Second and Third Streets.

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 improve-
ment of Ellsworth Street from the
North Curbed line of Third Street to the
South line of Second Street in said
City of Albany.

That people of the City of Albany ordain as follows:
Whereas, by Ordinance No. 487 of the City of
Albany, Oregon, passed by the Council on
the 28th day of June 1909 and approved
by the Mayor on the 29th day of June
1909, it was ordered that the following
Street of said City of Albany, to-wit: -
Ellsworth Street from the North Curbed
line of Third Street to the South line of
Second in said City of Albany be improved
as follows: -
First, By grading said Street to ^{the} proper sub-grade.
Second, By paving the roadway of said Street
full width with Bitulithic pavement.
Third, By laying and constructing Bitulithic
Headers

Fourth, By constructing inlets.

Fifth, By laying vitrified sewer pipe.

Said improvement to be made in ac-
cordance with the Charter and Ordinances
of the City of Albany, Oregon, and the plans,
specifications and estimates of the City Engi-
neer filed in the office of the City Recorder
of said City.

And Whereas, it was provided in said Ordi-
nance 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 ad-
vertisement for bids, made and given
by the City Recorder of said City ac-
cording to law and the ordinance last

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aforsaid, to-wit: - on the 12th day of July, 1909, the Warren Construction Company, a corporation of Torrance, Calif., presented to the Council its bid for making said ^{proposed} improvement, and its bid was made in due form 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 for the following named prices:

- Excavation, per cu. yard - - - \$0.75
- Embankment, per cu. yard - - - \$0.20
- Bitulithic surface including the Bituminous Crusted Base foundation and surface finishing course - - - \$2.25
- Per square yard - - - \$12.50
- Grates, price per each - - - \$0.70
- Sewer pipe, 6 inch, price per lineal foot - - \$0.40
- Bitulithic Headers, price per lineal foot - - \$0.40

And 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 above described street be and the same is hereby accepted. And the Mayor and the 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 upon the terms mentioned in said bid, said contract to provide further that the work of said proposed improvement shall commence within thirty days after the signing of said contract, and to be prosecuted with

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such vigor that all the work embraced
in said contract shall be entirely com-
pleted on or before the first day of October,
1909, and that the City of Albany shall be
deemed to suffer damages to the extent
of ten dollars per day for each day
every day the work is delayed beyond
said specified time; and that the
Construction Company furnish a bond
in the sum of \$1000 to be approved
by the Mayor of the City of Albany, 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
Construction Company, and further indem-
nifying the City of Albany against any
claim or liens for labor, work or materi-
als on the part of any person arising out
of said contract.

Section 2. Whereas the public health
and safety requires that work be com-
menced on said proposed improvement
at an early date and before the winter
rains render it impossible to properly
perform the same, an emergency is
thereby declared to exist, and this ordi-
nance shall be in full force and
effect from and after its approval by
the Mayor -

Approved July 17, 1909.

W. H. Wallace
Mayor of the City of Albany

Attest:
J. 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. 491
has been by me carefully compared with the original *Ordinance Bill 533*
now on file in my office, and that it is a true and correct copy of all and the whole of said
Ordinance Bill 533 as passed by the Council
of the City of Albany, Oregon, July 14, 1909

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

15 day of *July* 19*09*

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