

ORDINANCE No. 494.

Relating to Contract for paving Lyon Street.

Ordinance  
No. 494  
Relating to  
Contract  
for paving  
Lyon 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 Lyon Street in said City from the North line of First Street to the North curb line of Sixth Street, except that portion of said Lyon Street lying between the West curb lines of First and Second Streets and the West line thereof:

The People of the City of Albany do ordain as follows: Whereas, by ordinance No. 493 of the City of Albany, Oregon, passed by the Council on the 26<sup>th</sup> day of July, 1909, and approved by the Mayor on the 27<sup>th</sup> day of July, 1909 it was ordered that the following Street of said City of Albany, to-wit:

Lyon Street from the North line of First Street to the North curb line of Sixth Street, except that portion of said Lyon Street lying between the West curb lines of First and Second Streets, and the West line thereof, be improved as follows:

- First: By grading said Street to the proper subgrade.
- Second: By paving the roadway of said Street full width, with full intersections, with Belleville Pavement.
- Third: By laying and constructing Asphaltic Headers.
- Fourth: By constructing Drains.
- Fifth: By constructing Catch Basins.
- Sixth: By laying vitrified sewer pipe.

Said improvement to be made in accordance with the Charter and Ordinances of the City of Albany, Oregon, and the Plans, 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.

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And 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 11<sup>th</sup> day of August 1909 the Warren Construction Company, a corporation of 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, for the following named prices:

Excavation, per cubic yard	\$0.75
Embankment, per cubic yard	\$0.20
Bitulithic Pavement, including the bituminous crushed rock foundation and surface finishing course per square yd.	\$2.18
Catch Basins, per each	\$25.00
Inlet, per each	\$12.50
Vitrified Sewer Pipe, six inch, per lineal ft.	0.70
Bitulithic Headers, 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, do aforesaid, on behalf of the City upon the terms mentioned in said bid and 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 proce-

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acted with such vigor that all the work embraced in said Contract, shall be entirely completed on or before the first day of November 1909, and that 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 said Warren Construction Company furnish a bond in the sum of \$5000<sup>00</sup> to be paid and 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 Warren Construction Company, and further indemnifying the City of Albany against any claims of liens for labor, cost or materials on the part of any person arising out of said Contract.

Section 2. Whereas, the public health and safety requires that work be commenced on said proposed improvement at an early date, and before the winter rains render 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.

Approved June 19, 1909.

J. Wallace

Mayor of the City of Albany.

Attest:  
J. H. 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. 494*  
 has been by me carefully compared with the original *Ordinance bill 539*

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. 539, as passed by the Council of the City of Albany Oregon August 18, 1909*

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

*19* day of *Aug*, 19*09*

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

