

Rawlins, Albany, Oregon

An Ordinance authorizing the Mayor and Recorder of the City of Albany to enter into a contract with C. M. Swartley for the building and construction of a lateral sewer requiring utility easements in the streets and sewer returns water and riser streets in the City of Albany, Oregon, and running a trench underly across Oak Street and through the center of Block 6 of the same, in this condition to the City of Albany, Oregon, and to within a feet of the east line of S. Adams Street in the City of Albany, Oregon, a distance of 112 feet, with vitrified terra cotta sewer pipe according to the plans, specifications and profiles laid in the office of the Recorder of the City of Albany on the 8th day of April, 1914.

Whereas, by Resolution No. 4, passed by the Council of the City of Albany on the 14th day of April, 1915, it was ordered that the above lateral sewer be constructed, said improvements to be made in accordance with the charter and ordinances of the City of Albany and the plans, specifications and estimates of the City Engineer then on file with the Recorder of the City of Albany; and

Whereas, it was provided by ordinance that the Recorder of the City of Albany give notice for bids for the making of said improvements in the manner provided by law and by said ordinance; and

Whereas, after due notice and advertisement for bids made and given by the Recorder of the City of Albany according to said ordinance, on the 26th day of May, 1915, C. M. Swartley presented to the Council of said city his bid for making said improvements, which bid was made in due form and in conformity with all the conditions imposed by law and by said ordinance, and which said bid said C. M. Swartley proposed to furnish all material and implements and perform the labor necessary to make the above described improvements for the sum of \$4,100.00 and,

Whereas, C. M. Swartley was the lowest bidder, and he proposed work and said bid was the best and best bid therefor,

Therefore

The People of the City of Albany Do Ordain As Follows:

Section 1. That the said bid of said C. M. Swartley for said improvements be and the same is hereby accepted and the Mayor and Recorder of the City of Albany are hereby authorized to enter into a contract in writing with the said C. M. Swartley for the making of said improvements as hereinafter provided by the City of Albany, Oregon, and to be done and completed in said city, in accordance with said ordinance and bid conditions.

mentioned. Said contract shall provide that the work on said sewer shall commence within ten days after the signing of said contract and to proceed with such vigor that all the work on said contract shall be entirely completed on or before the first day of August, 1915, and the City of Albany, Oregon, shall be deemed to be liable for damages to the extent of \$2.50 per day for each and every day the work is delayed beyond the specified time.

Said contract shall also provide that the said C. M. Swartley shall promptly and duly make payment to all persons supplying to the said C. M. Swartley labor or material for the prosecution of the hereinabove described work and that the said C. M. Swartley shall not permit any lien or claim to be filed or prosecuted against the City of Albany for or on account of any material or labor furnished for the said work.

The said C. M. Swartley shall furnish a personal bond in the sum of \$50,000, with good and sufficient sureties to be approved by the Mayor of the City of Albany, to secure the faithful performance of all the obligations of said contract on the part of said C. M. Swartley and particularly against any claim or lien for labor, work or material on the part of any person arising out of said contract.

Passed by the Council May 26, 1915.

Approved: May 26, 1915.

Attest:

F. W. Tamm

Recorder of the City of Albany, Oregon.

L. M. Gurl

Mayor.

Lawlor Albany, Oregon

CITY RECORDER'S CERTIFICATE

State of Oregon,)
County of Linn) ss.

I, F. E. Van Tassel, Recorder of the City of Albany, Linn County, and State of Oregon, do hereby certify that the foregoing annexed copy of Ordinance No. 802

has been by me carefully compared with the original Ordinance Bill No. 800 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. 800 as passed by the Council of the City of Albany, Oregon, May 26, 1915.

Witness, my hand and official signature and the seal of the City of Albany, this 27th day of May, 1915.

F. E. Van Tassel
Recorder of the City of Albany.