

ORDINANCE No. 926

AN ORDINANCE AUTHORIZING THE MAYOR AND RECORDER OF THE CITY OF ALBANY, OREGON TO ENTER INTO A CONTRACT WITH W. A. McCLAIN FOR THE BUILDING AND CONSTRUCTION OF A LATERAL SEWER BEGINNING AT THE MAN-HOLE IN THE OAK STREET TRUNK SEWER BETWEEN FIRST AND SECOND STREETS AND RUNNING THENCE WESTERLY INTO BLOCK 7 IN HACKLEMAN'S THIRD ADDITION TO THE CITY OF ALBANY, OREGON A DISTANCE OF 272 FEET WITH VITRIFIED TERRA COTTA SEWER PIPE IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS OF THE CITY ENGINEER OF THE CITY OF ALBANY FOR SAID LATERAL SEWER ON FILE IN THE OFFICE OF THE RECORDER OF SAID CITY JULY 10TH, 1918 AND THE SAID ENGINEER'S PLANS AND SPECIFICATIONS FOR THE CONSTRUCTION OF ALL LATERAL SEWERS CONNECTING WITH OAK STREET TRUNK SEWER IN SAID CITY, FILED IN THE OFFICE OF THE RECORDER OF THE CITY OF ALBANY, APRIL 8, 1914.

WHEREAS, by Resolution No. 4 of the City of Albany, Oregon, adopted by the Council on the 10th day of July, 1918, it was ordered that a lateral sewer be constructed beginning at the manhole in the Oak Street Trunk Sewer between First and Second Streets and running thence Westerly into Block 7, in Hackleman's Third Addition to said City a distance of 272 feet, said improvement to be made in accordance with the plans and specifications of the City Engineer for said improvement 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 improvement 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, Oregon, according to said ordinance, on the 29th day of August, 1918,

W. A. McClain presented his bid to the Council of said city for the making of said improvement, which bid was made in due form and in conformity with all the conditions imposed by law and by said ordinance, by which bid the said W. A. McClain proposed to furnish all material and implements and perform the labor necessary to make the above described improvement, for the sum of \$225.00; and

WHEREAS, W. A. McClain was the lowest bidder for said proposed work, and said bid was the lowest and best bid therefor:

T h e r e f o r e

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1. That the bid of the said W. A. McClain for said improvement 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 W. A. McClain for the making of said improvement, as aforesaid, on behalf of the City of Albany, Oregon, and upon the terms and conditions in said ordinance, advertisement and bid hereinabove mentioned. Said contract shall provide that the work of said sewer shall commence within ten (10) 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

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before the 1st day of October, 1918; and the city of Albany, Oregon shall be deemed to suffer damages to the extent of \$10.00 per day for each and every day the work is delayed beyond said specified time.

Said contract shall further provide that the said

W. A. McClain shall promptly, as due, make payment to all persons supplying to the said W. A. McClain labor or material for the prosecution of the hereinabove described work, and that the said W. A. McClain shall not permit any lien or claim to be filed or prosecuted against the City of Albany for or on account of any labor or material furnished for the said work.

The said W. A. McClain shall furnish a penal bond in the sum of \$113.00 with good and sufficient sureties approved by the Mayor of the City of Albany, Oregon, to secure the faithful performance of all the obligations of such contract on the part of the said W. A. McClain, 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 August 28, 1918

Approved by the Mayor August 28, 1918.

L. M. Curl

Mayor.


Attest:

L. G. Lewelling
Recorder of the City of Albany.

STATE OF OREGON, }
County of Linn. } ss.

I, L. G. Lewelling, 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. 926 has been by me carefully compared with the original Ordinance Bill No. 1017 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. 1017 passed by the Council August 28, 1918, and approved by the Mayor August 28, 1918.

WITNESS my hand and official signature and the seal of the City of Albany, this 11th day of Jan. 1918.


L. G. Lewelling
Recorder of the City of Albany.