

ORDINANCE NO. 1143

A BILL FOR AN ORDINANCE Authorizing the Mayor and Recorder of the City of Albany, Oregon, to enter into a contract with Guy F. Pyle for the improvement of Elm Street from the South line of Fifth Street to the North line of Ninth Street in the City of Albany, Oregon, and declaring an emergency.

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

WHEREAS, By Ordinance No. 1132 of the City of Albany, Oregon, it was ordered that the following street in the City of Albany, Oregon, to-wit: Elm Street from the South line of Fifth Street to the North line of Ninth Street, be improved in the following manner, to-wit:

1. By grading said street to the proper subgrade.
2. By paving said street full width with Portland cement concrete pavement, or by paving said street full width with 2 inch Warrenite bitulithic wearing surface pavement on a 3 inch black base, or by paving said street full width with a 2 inch Warrenite bitulithic wearing surface pavement on a 4 inch compressed crushed rock base, or by paving said street full width with 2 inch Warrenite bitulithic wearing surface pavement on a 4 inch compressed grave or gravel base.
3. By laying paving headers.
4. By laying 6 inch vitrified sewer pipe.
5. By constructing inlets
6. By tapping sewers.

Said improvement to be made in accordance with the charter and ordinances of the City of Albany and the plans, specifications and estimates of Engineer Charles H. Leonard, then on file with the Recorder of the City of Albany; and

WHEREAS, It was provided in said ordinance that the Recorder of the City of Albany give notice for bids for the making 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 according to law and the ordinance last aforesaid, to-wit: on the 9th. day of July, 1924, Guy F. Pyle presented to the Council of the City of Albany, Oregon, a bid for making said improvement with 2 inch Warrenite bitulithic wearing surface pavement on a 3 inch black base which bid was made in due form and in conformity with all the conditions imposed by law and the Council, by which said bid Guy F. Pyle proposed to furnish all material and implements and perform the labor necessary to make the above described improvement with 2 inch Warrenite bitulithic wearing surface pavement on a 3 inch black base for the following named prices to-wit:

440.3 cubic yards of excavation \$1.00 per cu. yd.	\$440.30
5331.5 sq. yds. of pavement 2 inch Warrenite bitulithic wearing surface pavement on a 3 inch black base	
at \$2.30 per sq. yd.	\$12688.97
210 lineal feet of paving headers at 40 cts. per ft.	\$84.00
368 lineal feet of 6 inch vitrified sewer pipe	
at 80 cts. per lineal foot	\$294.40
4 Inlets at \$30.00 each	\$120.00
3 sewer tapping at \$10.00 each	\$30.00

AND WHEREAS, said Guy F. Pyle was the lowest responsible bidder for said proposed work and said bid was the lowest and best bid therefor, and

WHEREAS, The Common Council of the City of Albany, Linn County, Oregon did in and by Resolution No. 29 heretofore duly and regularly adopted has

ORDINANCE NO. 1143

and selected as the type of improvement to be made on said street the following described: 2 inch Warrenite bitulithic wearing surface pavement on a 3 inch black base

Section 1. That the bid of Guy F. Pyle for said improvement of said described portion of Elm Street with 2 inch Warrenite bitulithic wearing surface pavement on a 3 inch black base be and the same is hereby accepted and the Mayor and Recorder of said City are hereby authorized to enter into a contract in writing with the said Guy F. Pyle for the making of said improvement with 2 inch Warrenite bitulithic wearing surface pavement on 3 inch black base on behalf of the city of Albany, Oregon, upon the terms in said bid hereinabove mentioned.

Section 2. Said contract to provide further that the work of said improvement shall commence within ten days after the signing of said contract and shall be prosecuted with such vigor that all the work embraced in said contract shall be entirely completed on or before the 1st. day of October, 1924 and the City of Albany, Oregon shall be deemed to suffer damages to the extent of Ten Dollars (\$10) per day for each and every day the work is delayed beyond said specified time, and that Guy Pyle furnish a bond in a sum equal to Fifty per cent (50%) of the proposal of contractor, 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 Guy F. Pyle and further indemnifying the City of Albany against any claim or lien for labor, work or material on the part of any person, firm, or corporation, arising out of said contract.

Section 3. WHEREAS, It is necessary for the public peace, health and safety of the people of the City of Albany that the foregoing improvement be immediately constructed and therefore an emergency exists and one is hereby declared to exist and this ordinance shall go into full force and effect immediately upon its passage by the Council and approval by the Mayor.

Passed by the Council, July 11th. 1924

Approved by the Mayor, July 11th. 1924.

J. G. Hall,

Mayor protem

Attest: D. H. Rodine,
Recorder of the City of
Albany, Oregon.

STATE OF OREGON, }
County of Linn, } ss

I, D. H. Rodine, 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. 1143 has been by me carefully compared with the original Ordinance Bill No. 1241 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. 1241 passed by the Council July 11th, 1924, and approved by the Mayor, July 11th. 1924.

WITNESS my hand and official signature and the seal of the City of Albany, this 31 day of December, 1924.

D. H. Rodine
Recorder of the City of Albany.