A BILL FOR:

AN ORDINAMOE authorizing the Mayor and Recorder of the City of Albeny, Oregon, to enter into a contract with Leonard & Slate Oregon Ltd. For the construction of lateral sewers as follows:

Beginning at the manhole on the Columbus St. Main Sewar where the same intersects the south line of the Southern Pacific Co's, right-of-way and running thence J. Westerly along said right-of-way a distance of 150 feet and also north easterly along said right-of-way line a distance of 500 ft.

By layin, an eight inch vitrified terra cotta sever pipe in said project in accordance with the plans and specifications of Walter W. Larsen, City Engineer, of the City of Albany, filed in the office of the Recorder of the said City on the 11th day of September, 1946.

'Therees, by resolution No. 97 adopted by the Council the 24th day of July, 1946, it was ordered that lateral sewers be constructed as follows:

Beginning at the manhole on the Columbus St. Main Sever where the same intersects the south line of the Southern Facific Cols. right-of-way and running thence S. Westerly along said right-of-way a distance of 150 feet and also north easterly along said right-of-way line a distance of 500 feet.

said lateral sewers to be constructed of eight inch vitrified terra cotta sewer pipe in accordance with the plans and specifications of Walter W. Larsen, ingineer of said City, filed in the office of the Recorder of said City on the 11th day of September, 1946.

Thereas, it was provided in and by Ordinance No. 1737 passed by the Council on the 11th day of September, 1946, and approved by the layor on the same dat, that the Recorder give notice for bids for the making of such improvement in the number provided by law: and

Thereas, due notice and advertisement for said bids have been made and given by the Recorder of the City of Albany in accordance with the provisions of said ordinance and in the manner provided by law; and

Whereas, Leonard & Slate Cregon Ltd., on the 25th day of September, 1946, presented their bid to the Council of said City for the making of said improvement which said bid was made in due form and in conformity wit all the conditions imposed by law and by said ordinance, by which bid the maid Leonard & Slate Crecon Ltd. proposed to furnish all material, and implements and to perform all the labor necessary to make the above described improvement for the sum of \$1556.60; and

Thereas, Leonard Slate Oregon Ltd., was the lowest bidder for said proposed work and said bid was the lowest and best bid submitted therefore.

THEREFORE THE PROPLE OF THE CITY OF ALBRIY DO ORDAIN AS FOLLOWS:

Section 1. That the bid of the sai Leonard A Slate Oregon Ltd. for said improvement beam the same is reby accepted and the Mayor and Recorder of the City of Albany are hereby authorized and directed to enter into an acceptant in writing with the said Leonard & Slate Oregon Ltd. For the making of said is provement as aforesaid on behalf of the ity of Albany, Creson, and upon the terms and conditions in said ordinance, advertigment and bid hereinabove mentioned.

Said contract shall revide that the work on said aswer construction shall contained within ten days after the signing of said contract and shall be proceeded ith such vivor that all the work embraced therein shall be entirely conlicted on or b for the last day of November 1946, and the lity of later my shall be desired to suffer damages to the extent of 25.00 per day for e chain every day the work is delayed beyond such time.

Said contract shall further provide that the said Leonard and Slate Oregon Ltd. shall, prosptly as due, make payment to all parties supplying to him labor and material for the prosecution of

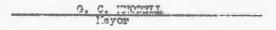
the hereinabove described work and that he will not permit any lien of claim to be prosecuted ecainst the City of Albany for or on account of any labor or material furnished on said work and shall also pay all contributions or amounts due the State Industrial Accident Fund incurred in the performance of said contract.

Section 2. The said Laonard & Slate Creson Ltd. shall furnish a bond in a sum equal to fifty per cent of the contract price with good and sufficient surety thereon to be approved by the layor of the City of Albany, to secure the faithful performance of all the obligations of said contract on the part of the said bidder and pricularly on account of any lien or claim for labor or material furnished on the part of any person or persons arising out of such contract.

Said contract shall further provide that should the said contractor fail, neglect or refuse to make print payment of any claim for later, wages, or laterials furnished by any proom in tennsation with said contract as said claim becomes due, whether said labor, wages or materials be furnished for said contractor or any sub-contractor, then and in such event the Council of the City of Albany may pay such claims to the proper claimants and charge the same against funds due or to become due said contractor by reason of said contract.

Passed by the Council September 25, 1946

Approved by the Mayor September 25, 1946



.ttest: C. R. Ashton

I, C. R. ishton, ecorder of the Sity of Albany, Linn County Cregon, do hereby certify in the above day of the Ordinance "o. 1742, has been by me carefully command with the Ordinance Sill o. 1863, as passed by the Souncil So tember 5, 1946, as proved by the Hayor on the 25th day of September, 1946.

Witness my hand and official signature and seel of the City of Albany, Oregon on the 26th may of September, 1946.

Recorder of the Olty of Albany, Cregon