

# ORDINANCE No. 1003.

AN ORDINANCE AUTHORIZING THE MAYOR AND RECORDER OF THE CITY OF ALBANY, OREGON, TO ENTER INTO A CONTRACT WITH L.O. HERROLD FOR THE IMPROVEMENT OF THIRD STREET FROM THE EAST CURB LINE OF CALAPOOIA STREET TO THE WEST LINE OF VINE STREET IN THE CITY OF ALBANY, OREGON.

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

WHEREAS, by Ordinance No. 998 of the City of Albany, Oregon, it was ordered that the following street in the City of Albany, Oregon, to-wit: Third Street from the East curb line of Calapoopia Street to the West line of Vine Street be improved in the following manner to-wit:

- First: By grading said street to the proper sub-grade.
- Second: By paving the roadway of said street full width, with full intersections with asphaltic concrete pavement on an asphaltic concrete foundation, or by paving said street with Portland cement concrete pavement or by paving with Warrenite bitulithic wearing surface on a bituminous concrete base at the option of the Council.

Said improvement 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 in said 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 according to law and the Ordinance last afore said; and

WHEREAS, the Council in and by Resolution No. 24 did adopt and select Asphaltic concrete upon a bituminous concrete base as the most advantageous kind of pavement for making such improvement and to-wit: on the 15th day of July 1921, L.O. Herrold presented to the Council of the City of Albany its bid for making said improvement with Asphaltic concrete upon bituminous concrete base pavement, which bid was made in due form and in conformity with all the conditions imposed by law and the Council, by which said bid L.O. Herrold proposed to furnish all material and implements and perform the labor necessary to make the above described improvement with Asphaltic concrete upon a bituminous concrete base pavement for the following named prices, to-wit:

Excavation	300 cu. yds @ \$ 1.25 per cu. yd.	\$ 375.00
Curb	40 lin ft. @ 50 per lin. ft.	20.00
Wooden Header	0.272 B.M. @ 30.00 per M.ft. B.M.	8.16
Monument Cases	2 @ 7.5 each	15.00
Paving with asphaltic concrete	1905 Sq. Yds. @ \$ 2.05 per Sq. Yd.	3962.40
Total		\$ 430.56

AND WHEREAS, said L.O. Herrold was the lowest bidder for said proposed work and said bid was the lowest and best bid therefor.

Section 1. That the bid of L.O. Herrold for said improvement of said described portion of Third Street with Asphaltic Concrete upon a bituminous concrete base be and the same is hereby accepted and the Mayor and Recorder of said City are

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hereby authorized to enter into a contract with L.O. Herrold for making said improvement with Asphaltic concrete upon a bituminous concrete base<sup>pavement</sup> on behalf of the City of Albany, Oregon upon the terms in said bid hereinabove mentioned.

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 15th day of September, 1921 and the City of Albany shall be deemed to suffer damages to the extent of \$ 25.00 per day for each and every day the work is delayed beyond said specified time and that the said L.O. Herrold furnish a bond in the sum of Four Thousand Dollars 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 or some person justifying in twice the amount of said bond, conditioned for the faithful performance of said contract on the part of L.O. Herrold 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.

Passed by the Council the 15th day of July, 1921.  
Approved by the Mayor the 16th day of July, 1921.

P. A. Young,

Mayor.


Attest. D. H. Bodine,

Recorder of the City of Albany, Oregon.

STATE OF OREGON )  
( ss.  
County of Linn )

I, D. H. Bodine, 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. 1003 has been by me carefully compared with the original Ordinance Bill No. 1099 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. 1099 passed by the Council July 15th, 1921 and approved by the Mayor July 16th, 1921.

WITNESS, my hand and official signature and the seal of the City of Albany, this 18th day of March, 1922.

  
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Recorder of the City of Albany.