

A BILL FOR:

AN ORDINANCE authorizing the Mayor and Recorder of the City of Albany, Oregon, to enter into a contract with D. F. McKenzie and O. L. Bowman for the improvement of First Street from the east line of Geary Street to the S. P. R. R. right of way at Columbus Street; Second Street from the east line of Geary Street to the west line of Cleveland Street; Fourth Street from the east line of Geary Street to the west line of Chicago Street; Fifth Street from the east line of Geary Street to the west line of Burkhart Street; Sixth Street from the east line of Geary Street to the west line of Burkhart Street; Seventh Street from the east line of Geary Street to the west property line of the Oregon State Highway property; Chicago Street from the south line of First Street to the south line of St. James Addition; Burkhart Street from the south line of Front Street to the north line of the Santiam Road; Columbus Street from the south line of Front Street to the S. P. R. R. right of way in the City of Albany, Oregon.

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

WHEREAS, by Ordinance No. 1784, of the City of Albany, Oregon, it was ordered that the following streets in said City be improved, to-wit: First Street from the east line of Geary Street to the S. P. R. R. right of way at Columbus Street; Second Street from the east line of Geary Street to the west line of Cleveland Street; Fourth Street from the east line of Geary Street to the west line of Chicago Street; Fifth Street from the east line of Geary Street to the west line of Burkhart Street; Sixth Street from the east line of Geary Street to the west line of Burkhart Street; Seventh Street from the east line of Geary Street to the west property line of the Oregon State Highway property; Chicago Street from the south line of First Street to the south line of St. James Addition; Burkhart Street from the south line of Front Street to the north line of the Santiam Road; Columbus Street from the south line of Front Street to the S. P. R. R. right of way.

Said improvement to be made in the following manner:

1. By grading said streets to the proper sub-grade.
2. By surfacing the roadway of said streets full width with full intersections with the necessary base material and levelling course.
3. By installing concrete curbs and gutters.
4. By installing a proper drainage system.

and in accordance with the plans, specifications and estimates of Walter W. Larsen, Engineer, then on file in the office of the Recorder of said City; and

WHEREAS, it was provided in said Ordinance that the Recorder of said City of Albany, give notice for bids for the making of said improvement in the manner provided by law and said Ordinance; and

WHEREAS after due notice and advertisement for bids made and given by the Recorder according to law and the Ordinance last aforesaid, to-wit: on the 16th day of May, 1947, D. F. McKenzie and O. L. Bowman presented to the Council of the City of Albany, their bid for making said improvement in the manner aforesaid, which bid was made in due form and in conformity with all the conditions imposed by law and the Council, by which said bid D. F. McKenzie and O. L. Bowman proposed to furnish all the material and implements and perform all the labor necessary to make the above described improvement for the following named prices, to-wit:

Aggregate bid based on Engineer's estimates \$44120.50.

AND WHEREAS the said D. F. McKenzie and O. L. Bowman were the lowest bidders for said proposed work and said bid was the lowest and best bid made therefor:

Section 1. That the bid of D. F. McKenzie and O. L. Bowman for the improvement of First Street from the east line of Geary Street to the S. P. R. R. right of way at Columbus Street; Second Street from the east line of Geary Street to the west line of Cleveland Street; Fourth Street from the east line of Geary Street to the west line of Chicago Street; Fifth Street from the east line of Geary Street to the west line of Burkhart Street; Sixth Street from the east line of Geary Street to the west line of Burkhart Street; Seventh Street from the east line of Geary Street to the west property line of the Oregon State Highway property; Chicago Street from the south line of First Street to the south line of St. James Addition; Burkhart Street from the south line

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of Front Street to the north line of the Santiam Road; Columbus Street from the south line of Front Street to the S. P. R. R. right of way in the City of Albany, Oregon, in the manner as specified in said Ordinance No. 1784, be and the same is hereby accepted and the Mayor and Recorder of the City of Albany are hereby authorized and directed to enter into a contract in writing with the said D. F. McKenzie and O. L. Bowman for the making of said improvement on behalf of the City of Albany upon the terms mentioned in said bid hereinabove mentioned and in the manner and form provided by law.

Said contract shall 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 thirty-first day of October, 1947 unless further time be extended by the Council of said City, and the City of Albany, Oregon, shall be deemed to suffer damages in the amount of \$25.00 per day for each and every day said work is delayed beyond said specified time, and that the said D. F. McKenzie and O. L. Bowman shall furnish a bond in the sum of \$22,060.25 to be approved by the Mayor of the City of Albany, Oregon, conditioned for the faithful performance of said contract on the part of the said D. F. McKenzie and O. L. Bowman 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 May 16, 1947

Approved by the Mayor May 16, 1947

Attest:

C. R. ASHTON
Recorder

RAIPH L. BANTON
Mayor

I, C. R. Ashton, Recorder of the City of Albany, Linn County, Oregon, do hereby certify that the above copy of the Ordinance No. 1813 has been by me carefully compared with the Ordinance Bill No. 1936, as passed by the Council May 16, 1947, and approved by the Mayor on the 16th day of May, 1947.

Witness my hand and official signature and seal of the City of Albany, Oregon on the 17th day of May, 1947.

Recorder of the City of Albany, Oregon