

ORDINANCE NO. 1004.

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 ELLSWORTH STREET FROM THE NORTH LINE OF FIRST STREET TO THE SOUTH LINE OF WATER STREET IN THE CITY OF ALBANY, OREGON.

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

WHEREAS, by Ordinance No. 999 of the City of Albany, Oregon, it was ordered that the following street in the City of Albany, Oregon, to-wit: Ellsworth Street from the North line of First Street to the South line of Water 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 asphaltic concrete pavement on an asphaltic concrete foundation, or by paving said street with Portland cement concrete pavement, or paving said street with Warrenite Bitulithic wearing surface upon 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 aforesaid; and

WHEREAS, the Council in and by Resolution No. 25 did adopt and select Asphaltic concrete on 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 his bid for making said improvement with asphaltic concrete on a bituminous concrete base pavement, which bid was made in due form and in conformity with all the conditions imposed by law and by the Council, which said bidder L.O. Herrold proposed to furnish all material and implements and perform the labor necessary to make the above described improvement with Asphaltic concrete on a bituminous concrete base pavement (which bid was made in due form and in conformity with all the conditions imposed by law and by the Council, by which said bidder L.O. Herrold proposed to furnish all material and implements and perform the labor necessary to make the above described improvement with Asphaltic concrete on a bituminous concrete base pavement) for the following named prices to-wit:

Excavation 182 cu. yds @ \$ 1.25 per cu. yd \$ 227.50

Paving 1072 yds with Asphaltic concrete on a bituminous concrete base @ \$ 2.36 per sq. yd.

\$ 2522. 72
Total \$ 2660. 22

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 Ellsworth Street with Asphaltic concrete on a bituminous

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concrete base on and the same is hereby accepted and the Mayor and Recorder of said City are hereby authorized to enter into a contract with L.O. Herrold for making said improvement with asphaltic concrete on a bituminous concrete base pavement 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 L.O. Herrold furnish a bond in the sum of Twenty Four Hundred 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 the said contract on the part of L.O. Herrold and further in 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 the Ordinance No. 1004 has been by me carefully compared with the original Ordinance Bill No. 1100 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. 1100 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 15th day of March, 1922.



Recorder of the City of Albany.