

ORDINANCE NO. 1077

A BILL FOR AN ORDINANCE Authorizing and directing the Mayor and Recorder of the City of Albany, Oregon, to enter into a contract with J. C. Stevens and R. E. Koon, co-partners operating and doing business under the firm name of Stevens & Koon, Consulting Engineers, for the purpose of preparing plans, specifications and estimates for the construction of proposed sewers known as the Montgomery Street main sewer, and the Hill Street main sewer in the City of Albany, Linn County, Oregon, and providing for the inspection of the construction, work and materials in connection therewith, and repealing Ordinance No. 1073 passed by the Council on the 13 day of June, 1923 and approved by the Mayor on the 16 day of June, 1923, and declaring an emergency.

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

Section 1. That the Mayor and Recorder of the City of Albany be and they are hereby authorized and directed to enter into a contract with Stevens & Koon, Consulting Engineers, which said contract shall be in words and figures substantially as follows, to-wit:

THIS CONTRACT Made and entered into at Albany, Linn County, Oregon, on this 29th. day of June, 1923 by and between the City of Albany, Oregon, a municipal corporation, hereafter called the City, and Stevens & Koon, Consulting Engineers, of Portland, Oregon, a partnership firm composed of J. C. Stevens and R. E. Koon, hereafter called the Engineers:

W I T N E S S E T H:

WHEREAS, Said City has heretofore engaged and directed said Engineers to make a survey and study of certain drainage problems in the City of Albany, Oregon, and to prepare a report setting forth their conclusions together with such preliminary plans and cost estimates as may be pertinent thereto, and

WHEREAS, Said report has been completed and filed with the Recorder of said City, and

WHEREAS, It is the desire of said City that definite plans be made for the construction of certain drainage systems, to-wit:

A main sewer on Montgomery Street extending to a point on Montgomery Street, if extended, to a point where it would intersect with Twelfth Street, if Twelfth Street, were extended, and thence down Twelfth Street, if extended, to a point which is the West side of Vine Street where intersected by Twelfth Street.

A main sewer on Hill Street from the Willamette River at the foot of Hill Street to the Northerly right of way line of the Southern Pacific Railway Company near Sixth Street, and thence in a Southwesterly direction along said Northerly right of way line of the Southern Pacific Railway Company to a point intersecting with the existing main sewer in Madison Street.

ORDINANCE NO. 1077

IT IS THEREFORE AGREED AS FOLLOWS:

Item 1. Detailed Plans, Specifications and Estimates of Cost.

Within a reasonable time after the execution of this contract said Engineers agree to make such additional investigations and surveys as may be necessary in order to prepare detailed plans and specifications for the construction of the drainage systems above mentioned. Immediately after such surveys are completed said Engineers will prepare such complete maps, plans, profiles and drawings as may be necessary for constructors' use in building such systems. This will include a map of the district immediately benefited by the improvements; plans and details of manholes, catch basins, inlets and such other appurtenances as may be necessary, and profiles showing grades, depths and sizes as they apply to the pipes, ditches or other conduits required. The Engineers will also prepare complete typewritten specifications for construction work. Accompanying the specifications will be forms for bidders' use in submitting proposals to construct and such other forms as the nature of the work to be undertaken may require. Upon completion of said plans and specifications the Engineers will prepare detailed estimates of cost and file the same with the City, if desired. The plans and specifications will be presented, for approval, to the City Council of Albany or its properly authorized Committee and the Engineers will make requested alterations therein, if such changes shall not violate the principles of good engineering practice.

Two complete sets of the plans and specifications will be filed with the City Recorder and as many additional sets will be made as will be necessary to meet the requests of those desiring to submit bids.

Item 2. Personal Service.

Said Engineers agree to give personal attention to the directing of surveys and investigations and to the preparation of plans and specifications. A member of the firm will attend the letting of contracts to advise and assist the City in making awards; he will also make an inspection of the work at least twice a month during the construction period and make a final inspection of the completed projects and reports thereof to the Council.

Item 3. Resident Supervision of Construction.

After the contract for construction has been awarded the Engineers will furnish the continuous services of a competent Supervising Engineer who will remain constantly on the work, inspecting materials and workmanship, giving lines and grades, making out progress estimates for guidance of the City in allowing payments on the work and performing all the customary duties of a Supervising Engineer. The time of such Engineer shall begin when the Contractor is ready to start work and continue so long as required by the City.

FOR AND IN CONSIDERATION OF the Engineers' faithfully performing the services hereinbefore mentioned the City hereby agrees to pay said Engineers as follows:

ORDINANCE NO. 1077

1. For the services performed under Items 1 and 2 hereof, a sum equal to five per cent (5%) of the cost of construction, less the sum of Five Hundred Dollars (\$500) which latter sum has been paid said Engineers for preliminary study and report on said drainage projects as referred to in the preamble of this contract, said percentage shall be payable in two installments, the first equal to four per cent (4%) of the estimated cost of the projects, less the credited payment of Five Hundred Dollars (\$500) as above mentioned, to be paid on completion of the plans and specifications and their approval by the City and the balance on the completion of the construction work and its acceptance by the City.

2. For the services of the Supervising Engineer as required under Item 3 the City shall pay to the Engineers the sum of Two Hundred Fifty Dollars (\$250) per month, payable monthly, for the time the services of the Supervising Engineer are required.

IN WITNESS WHEREOF, The parties hereto have caused this contract to be signed in duplicate on the date first above written.

CITY OF ALBANY, OREGON.

By _____
Mayor

By _____
Recorder.

STEVENS & KOON

By _____
Member of Firm.

Section 2. That Ordinance No. 1073 passed by the Council on the 13 day of June, 1923, and approved by the Mayor on the 16 day of June, 1923, be and the same is hereby repealed.

Section 3. WHEREAS, It is necessary for the public health, peace and safety of the people of the City of Albany that the foregoing described sewers be immediately constructed and therefore, it is necessary that this agreement be entered into at once, 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, June 28, 1923

Approved by the Mayor, June 29, 1923.

P. A. Young,

Mayor.

Attest: D. H. Sodine,

Recorder of the City of Albany, Oregon.

