

ORDINANCE No. 1263

AN ORDINANCE authorizing the Mayor and the Recorder of the City of Albany, Oregon, to enter into a contract with C.E.Davis for the improvement of Second Street from the east line of Sherman Street to the west line of Oak Street, in the City of Albany, by grading and graveling the same.

WHEREAS, by ordinance No. 1262 of the City of Albany, Oregon, it was ordered that the following street in said City be improved, to-wit; Second Street from the east line of Sherman Street to the west line of Oak Street, in the following manner, to-wit; 1st: By grading said Street to the proper sub-grade; 2nd: By surfacing the roadway of said street 16 feet in width with gravel. Said improvement to be made in accordance with the charter and ordinance of the City of Albany, and the plans, specifications and estimates of the City Engineer then on file with the Recorder of said City; and

WHEREAS, it was provided in said ordinance that the Recorder of said City give notice of the making of said improvement in the manner provided by law, and, in said ordinance, and

Whereas, after due notice for bids made and given by the Recorder of the City of Albany according to the law and the ordinance aforesaid, to-wit: on the 9th day of Nov., 1927, C.E.Davis presented to the Council of the City of Albany his bid for making said improvement, which said bid was, and is, in due form, and in conformity with all the conditions imposed by law and the Council, by which said bid the said C.E.Davis proposed to furnish all material and implements and to perform the labor necessary to make the above described improvement for the following named prices, to-wit:

1243 sq. yards of grading and clearing @ 4c per sq. yrd	\$49.75
110 cu. yards of gravel @ \$1.34 per cu. yard	147.40
40 cu yards gravel, crushed	58.50
	<u>\$255.62</u>

And, WHEREAS, said C.E.Davis was the lowest and best bidder for said proposed work, and said bid was the lowest and best bid therefor,

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

Section 1. That the bid of C.E.Davis for said improvement of said described portion of Second Street, be, and the same is hereby accepted, and the Mayor and the Recorder of said City of Albany are hereby authorized to enter into a contract in writing with the said C.E.Davis for the making of said improvement on behalf of the City of Albany, Oregon, upon the terms mentioned in said bid hereinabove mentioned.

Said contract shall provide 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 within said contract shall be completed on or before the 15th day of December, 1927, and the City of Albany shall be deemed to suffer damages to the extent of two and one-half dollars (\$2.50) per day for each and every day said work is delayed beyond such specified time, and that the said C.E.Davis shall furnish a bond in the sum of \$127.81, to be approved by the Mayor of the City of Albany, conditioned for the faithful performance of the said contract on the part of said C.E.Davis, and further indemnifying the City against any claim or lien for labor, work or material on the part of any person, firm or corporation arising out of said contract.

Section 2. That in order to preserve the public health and safety of the City of Albany an emergency is hereby declared to exist and this ordinance shall be immediately effective upon its passage by the Council and upon approval by the Mayor.

Passed by the Council November 9th, 1927.
Approved by the Mayor November 9th, 1927.


Mark V. Weatherford,
Mayor.

Attest:--
F.P.Nutting,
Recorder of the City of Albany, Or.

STATE OF OREGON,
County of Linn, ss.

I, F.P.Nutting, Recorder of the City of Albany, Linn County, Oregon, do hereby certify that the foregoing and annexed copy of Ordinance No. 1263 has been by me carefully compared with the original ordinance bill No. 1365, now on file in my office, and that it is a true and correct copy of all of said Ordinance bill No. 1365, passed by the Council Nov. 9, 1927 and approved by the Mayor Nov. 9, 1927.

Witness my hand and official signature and the seal of the City of Albany this 11th day of November, 1927.


Recorder of the City of Albany.