

## ORDINANCE NO. 1441

AN ORDINANCE authorizing the Mayor and Recorder of the City of Albany, Oregon, to enter into a contract with Leonard & Slate for the improvement of Ninth Street between the west line of Elm Street and the West line of Cottage Street in the City of Albany, Oregon.

WHEREAS, by an ordinance No. 1438, of the City of Albany, it was ordered that the following street in said City be improved, to-wit: Ninth Street between the West line of Elm Street and the West line of Cottage Street, in the following manner, to-wit:

1. By grading said street to the proper sub-grade.
2. By surfacing the roadway of said Street full width with full intersections with a six inch gravel base with
  - a. a one inch oil mat surface, or
  - b. a one-course six inch Portland cement concrete pavement, or
  - c. a two inch asphaltic concrete pavement.
3. By laying and constructing concrete gutters.
4. By constructing concrete curbs and sidewalks wherever necessary.
5. By installing a proper drainage system.

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 of the City of Albany then on file with the Recorder of said City; 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 aforesaid, to-wit: on the 23rd day of March, 1938, Leonard & Slate presented to the Council of the City of Albany, Oregon, 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 Leonard & Slate 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:

1650 Cubic Yards of Excavation - (50¢)	\$825.00
160 Feet of Curb & Curb Strip - (1.00)	160.00
912 Cubic Yards of Base - (1.00)	912.00
126 Cubic Yards of Topping - (1.25)	157.50
1651 Feet of Curb Strip - (.50)	825.50
884 Feet of Curb - (.50)	442.00
100 Lineal Ft. 5' Concrete Sidewalk - (.85)	85.00
4553 Square Yards Oil Mat Surf. - (.35)	1593.55
Engineering & Inspection 5%	250.03
Total,	<u>\$5250.58</u>

and;

WHEREAS, it has been determined by the Council that said improvement be made with a one inch oil mat surface; and

WHEREAS, said Leonard & Slate was the lowest and best bidder for said work and said bid was the lowest and best bid therefor.

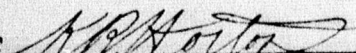
THEREFORE THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

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

Said contract shall provide that the work of said improvement shall commence as soon as weather conditions are permitted 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 1st day of July, 1938, and the City of Albany, Oregon, shall be deemed to suffer damages to the extent of \$25.00 per day for each and every day the completion of said work is delayed after the time stated in said contract and that the said Leonard & Slate shall furnish a bond in the sum of \$5000.00, said bond to be approved by the Mayor of the City of Albany and conditioned for the faithful performance of said contract on the part of said Leonard & Slate and further indemnifying the City of Albany against any claim or lien for labor, work and material on the part of any person, firm or corporation arising out of said contract.

PASSED BY THE COUNCIL MARCH 23, 1938.  
APPROVED BY THE MAYOR MARCH 23, 1938.

C.R. Ashton  
MAYOR

ATTEST   
RECORDER OF THE CITY OF ALBANY, OREGON.

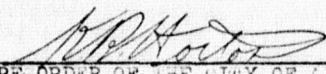
CONTINUED OVER

ORDINANCE NO. 1441

STATE OF OREGON )  
COUNTY OF LINN ) ss.  
CITY OF ALBANY )

I, K.R. Horton, Recorder of the City of Albany, Linn County, Oregon, do hereby certify that the annexed and foregoing copy of Ordinance # 1441, has been by me carefully compared with the original Ordinance Bill # 1554,, on file in my office, and that it is a true and correct copy of all of said bill, passed by the Council of the City of Albany, April 6, 1938, and approved by the Mayor April 6, 1938.

Witness my hand and official signature and the seal of the City of Albany, Oregon, this 7th day of April, 1938.

  
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RECORDER OF THE CITY OF ALBANY, OREGON.