

ORDINANCE BILL NO. 47 FOR 1949

Ordinance No. 727

A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR AND RECORDER OF THE CITY OF LEBANON TO ENTER INTO A CONTRACT WITH DEN-HERDER PLUMBING-HEATING AND CONSTRUCTION FOR THE CONSTRUCTION OF A SANITARY SEWER AT THE END OF THE PRESENT SEWER ON THE EAST LINE OF MAIN STREET AND THE CENTER OF BERRY STREET AND RUNNING THENCE EAST ALONG BERRY STREET 350 FEET TO THE CENTER OF MANHOLE NO. 1 TO BE CONSTRUCTED, THENCE EAST ALONG SAID STREET 390 FEET TO THE CENTER OF MANHOLE NO. 2 TO BE CONSTRUCTED, THENCE EAST ALONG SAID STREET 340 FEET TO THE CENTER OF MANHOLE NO. 3 TO BE CONSTRUCTED, AND DECLARING AN EMERGENCY:

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

That the Mayor and Recorder of the City of Lebanon be and they are hereby authorized and directed to enter into a contract with the Den Herder Plumbing-Heating and Construction for the construction of a sanitary sewer at the end of the present sewer on the East Line of Main Street and the center of Berry Street, and running thence East along Berry Street 350 feet to the center of Manhole no. 1 to be constructed thence East along said street 390 feet to the center of manhole no. 2 to be constructed, thence East along said street 340 feet to the center of manhole number 3 to be constructed, a copy of which contract is hereinafter set forth; which said contract should be executed in duplicate in behalf of the city of Lebanon, Oregon, by the Mayor and attested by the Recorder as soon as possible after this ordinance shall be in force and shall be dated as the date of its execution and be substantially in words and figures as follows, to-wit:

CONTRACT FOR CONSTRUCTION

This contract made and entered into this 22nd day of June, 1949, by and between the City of Lebanon, Oregon by its City Council, hereinafter called the "City", and Den-herder Plumbing-Heating and Construction of Lebanon, Oregon, hereinafter called the "Contractor".

WITNESSETH:

Said contractor, in consideration of the sum to be paid him by the said City and of the covenants and agreements herein contained, hereby agrees at his own proper cost and expense to do all the work and furnish all the materials, except those to be furnished by the City as listed in the "General Conditions", tools, labor and all appliances and appurtenances for the construction of the sanitary sewer extensions to the extent of the proposal made by the Contractor on the 21st day of June, 1949, all in full compliance with the contract documents referred to herein.

The "Advertisement for Bids", the "Information for Bidders", the signed copy of the "Proposal" made by the Contractor on the 21st day of June, 1949, the "General Conditions", the "Specifications" and the "Plans" which consist of 1 sheet numbered and titled as follows:

I. Plan and Profile of Sewer Extension, Berry Street is hereby made a part of this contract and is mutually cooperative therewith:

In consideration of the faithful performance of the work herein embraced, as set forth in these Contract Documents, and, in accordance with the direction of the Engineer and to his satisfaction to the extent provided in the Contract Documents, the City agrees to pay to the Contractor the amount earned, computed on the unit price bases, as determined by the Contract Document and based on the said Proposal made by the Contractor, and to make such payments in the manner and at the times provided in the Contract Documents.

The contractor agrees to complete the work within the time specified herein and to accept as full payment hereunder the amounts computed as determined by the Contract Documents and based on the said Proposal.

It is agreed that the time limit for completion of the Contract, based upon the Proposal, shall be the 28th day of July, 1949. In the event the Contractor shall fail to complete said work within the time limit, or the extended time limit agreed upon, as more particularly set forth in the Contract Documents, liquidated damages shall be computed at the rate of FIFTEEN DOLLARS (\$15.00) per day.

In Witness whereof, we the parties hereto, each herewith subscribed the same this 22nd day of June, A.D., 1949.

CITY OF LEBANON, OREGON

BY P. L. [unclear]
Mayor

BY [unclear]
City Recorder

BY [unclear]
Contractor

Approved as to form

[unclear]
City Attorney

[unclear]
Title

That existing conditions are such that this ordinance is necessary for the immediate preservation of the public peace, health and safety, an emergency is hereby declared and said ordinance shall be in full force and effect immediately upon its passage by the Council and approval by the Mayor.

Passed by the Council and approved by the Mayor this 21st day of June, 1949.



Mayor

ATTEST:



City Recorder

