

A BILL FOR AN ORDINANCE AUTHORIZING )  
AND DIRECTING THE MAYOR AND THE )  
RECORDER TO ENTER INTO A CONTRACT )  
WITH MORSE BROS.dba, LEBANON SAND )  
& GRAVEL, FOR THE IMPROVEMENT OF )  
CERTAIN STREETS WITHIN THE CITY OF )  
LEBANON, AND DECLARING AN EMERGENCY. )

ORDINANCE BILL NO. 33

for 1958.

ORDINANCE NO. 1043

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

Section (1) That the Mayor and the Recorder of the City of Lebanon are hereby authorized and directed to enter into a Contract with the Morse Bros. dba, LEBANON SAND & GRAVEL, for street improvements and to obligate the City for the payment of \$31,699.65 for said street improvements, and that the contract shall refer to the plans and specifications heretofore filed by the City Engineer and approved by the Common Council and shall be in the following form, to-wit:

CONTRACT FOR CONSTRUCTION

THIS CONTRACT made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 1958,  
by and between the CITY OF LEBANON, OREGON, by its City Council hereinafter  
called the "City", and Morse Bros. dba, LEBANON SAND & GRAVEL  
\_\_\_\_\_ 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  
improvement of streets, to the extent of the Proposal made by the Contractor  
on the 17th day of June, 1958, 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 17th day of June,  
1958, the "General Conditions", the "Specifications" and the "Plans" which  
consist of 13 sheets numbered and titled as follows:

1. Catch Basin Details
2. Typical Section 12 foot alley
3. Typical Section street, width 40 feet between curbs.
- 3e. " " " , width 30 feet between curbs.
- 3d. " " " , width 32 feet between curbs.
4. Details of Curbs:
- 4a. " " Curbs and Walks
5. Plan & Profile Alley, Block 13, Ralston's Addition
7. Plan & Profile Eaton Street
8. Plan & Profile Elmore Street
9. Plan & Profile Fourth Street
10. Plan & Profile Grant Street (Widening)
11. Plan & Profile Oak Street - Section 1
- 11a. " " " " " - Section 2

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 Documents 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 30th day of September, 1958. In the event the Contractor shall fail to complete the 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 subscribe the same this 5th day of August A. D., 1958.

CITY OF LEBANON

By P. Suggini  
Mayor

By \_\_\_\_\_  
Contractor

By \_\_\_\_\_  
Title

Approved as to Form

\_\_\_\_\_  
City Attorney

EATON'S  
CORRASABLE

Section (2) That inasmuch as this Contract is for the improvement of streets, it is necessary for the peace, health and safety of the City of Lebanon that said work be done immediately, therefore, an emergency is hereby declared to exist and this contract 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 on this 5<sup>th</sup> day of AUGUST, 1958.

\_\_\_\_\_  
Mayor

ATTEST:

Van R. Sherry  
City Recorder

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CORRASABLE