

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. 6

for 1961

ORDINANCE NO. 1088

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 AND GRAVEL, for street improvements and to obligate the City for the payment of \$20,527.59, plus 90¢ per sq. yd. for asphalt recoating, 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 20th day of June, 1961, by and between the CITY OF LEBANON, OREGON, by its City Council hereinafter called the "City", and MORSE BROS., dba, LEBANON SAND & GRAVEL, 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 its 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 20th day of June, 1961, 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 20th day of June, 1961, the "General Conditions", the "Specifications" and the "Plans" which consist of 10 sheets numbered and titled as follows:

1. Catch Basin Details
- 1a. Standard Manhole Details
3. Typical Section, Street 40 feet between Curbs
- 3a. " " " 32 " " "
- 3b. " " " 30 " " "
4. Details of Curbs
- 4a. " " " and walks
5. Plan & Profile of Cleveland Street
6. " " " " Fifth Street, Section 3
7. " " " " Park Drive and Binshadler Street

are hereby made a part of this Contract and are 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 basis, 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 20th day of September, 1961. 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 20th day of June, 1961.

CITY OF LEBANON, OREGON

By Jean R. Blalock
Mayor

By L. M. Moore
Contractor

By Partner
Title

Approved as to Form

Wasson Gill
City Attorney

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 of the Mayor.

Passed by the Countil and approved by the Mayor on this 20th day of June, 1961.

Jean R. Blalock
Mayor

ATTEST:

Walter R. Henry
City Recorder