

An Ordinance to provide for the improvement of Harrison Street, Milwaukie, Oregon, from the East line of Front Street to a point 239.4 feet West of the North East corner of the Lot Whitcomb D.L.C. No. 38, excepting the intersection of Main Street now under contract. The Town of Milwaukie does ordain as follows:

Section 1. Harrison Street, Milwaukie, Oregon shall be improved from the East line of Front Street to a point 239.4 feet West of the North East corner of the Lot Whitcomb, D.L.C., No. 38 excepting the intersection of Main Street now under contract in conformity of the plans and specifications heretofore filed with the Recorder, and which were adopted by resolution of the town council on the 11 day of April, 1911.

Parties bidding on the work provided herein must state in the bid the time required for the completion of the entire improvement herein specified after the approval of the Mayor and should the contractor fail to complete the work within the time specified in said contract, the City shall have the right to charge the contractor the sum of Five Dollars per day as liquidated damages for each and every day, that the work shall remain uncompleted after special date, and such sum shall be deducted from said sum or the amount of the final payment, no proposal shall be considered when not accompanied by a certified check equal to five per cent of the total estimate which check shall be forfeited to the City upon the failure of the successful bidder to execute the agreement provided herein, within ten days after the award of the contract.

Blank forms upon which all proposals are to be submitted will be furnished upon application to the town Engineer.

Section 3. Monthly estimates of the amount of work done will be made by the Engineer and an advance payment of 80% of such sum will be ordered at the first meeting of the town Council thereafter the remaining 20% to be paid in a lump sum within ten days after the final acceptance of the entire contract when complete.

Section 4. The contractor shall be required to furnish bonds with

approved security of 1/5 the amount and upon the faithful performance of the stipulations of the contract. Section 5. Whenever the word "Contractor" it is understood to refer to any person authorized by the Council to sue for damages. Section 6. Whenever the word "Contractors" it is understood to mean the contractor or any member thereof, who shall perform the work herein specified. All the work shall be done and furnished to the satisfaction of the City reserves the right to reject any work. Section 7. Each contract shall require that the person, firm or corporation shall look for payment only to the contractor and shall be liable to pay for such improvements out of the town Treasury for that purpose by any legal process or other fund.

Section 8. WHEREAS the condition of the streets is such as to be a menace to the health and safety of the community and improvement is necessary for the health and safety of the public in the town of Milwaukie, Oregon, an emergency exists and the Council in full force immediately upon its meeting.

By order of the Council
 Passed by the Council at a Regular Meeting of the Council
 J. A. Hanson, Recorder.

Approved May 10, 1911 by Philip Hanson
 Attest April 25, 1911, reported

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tion 5. Whenever the word "Engineer" is named in these specifi-
tions it is understood to refer to the town Engineer employed and
thorized by the Council to superintend such work.
tion 6. Whenever the word "Contractor" occurs in these specifi-
tions it is understood to mean the contractor, or firm, of con-
ractors or any member thereof, or any contractor undertaking the
rk herein specified. All the work and material to be furnished
all be done and furnished to the satisfaction of the town Engineer.
e City reserves the right to reject any or all bias.
tion 7. Each contract shall contain a stipulation to the effect
at the person, firm or corporation to whom said contracts are let,
all look for payment only to the sum assessed upon the property
able to pay for such improvement, and collected and paid into
e town Treasury for that purpose and they will not require Milwau-
e by any legal process or otherwise to pay the sum out of any
her fund.
tion 8. WHEREAS the condition of said street is and was danger-
s to the health and safety of the public and its immediate im-
ovement is necessary for the immediate preservation of the health
d safety of the public in the judgement of the Council of Milwau-
s, Oregon, an emergency exists, therefore this Orainance shall be
force immediately upon its approval by the Mayor.

By order of the Council of Milwaukie.

passed by the Council at a Regular Meeting held May 9, 1911.

A. Hanson, Recorder.

Approved May 10, 1911 by Philip Streib, Mayor.

Adopted April 25, 1911, reported May 11, 1911

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