

**THE CORPORATION OF THE CITY OF PETERBOROUGH**

**BY-LAW NUMBER 05-123**

**BEING A BY-LAW TO AUTHORIZE THE EXECUTION OF AN AGREEMENT BETWEEN THE CORPORATION OF THE CITY OF PETERBOROUGH AND ACCUREX INC. FOR THE WELLER STREET EAST STORM AND SANITARY SEWER REPLACEMENT. – T-21-05**

THE CORPORATION OF THE CITY OF PETERBOROUGH BY THE COUNCIL THEREOF HEREBY ENACTS AS FOLLOWS:

1. That the Mayor and Clerk be and they are hereby authorized to execute an agreement between the Corporation of the City of Peterborough and Accurex in the form attached hereby as Schedule "A", and to affix the Seal of the Corporation thereto.

By-law read a first and second time this 13<sup>th</sup> day of June, 2005

By-law read a third time and finally passed this 13<sup>th</sup> day of June, 2005

(Sgd.) Henry Clarke, First Deputy Mayor

(Sgd.) Doris Neufeld, Deputy Clerk

**SECTION D**

**TYPICAL AGREEMENT**



CITY OF PETERBOROUGH  
TENDER CONTRACT NO. T-21-05

WELLER STREET EAST STORM AND  
SANITARY SEWER REPLACEMENT

AGREEMENT

The Contractor further agrees that he will deliver the whole of the works completed in accordance with this Agreement within the time stipulated in the Tender Bid entitled TIME OF THE ESSENCE OF THE CONTACT.

The Contractor agrees that any monies due to the Municipality as a result of non-completion of the works within the time stipulated may be deducted from any monies due to the Contractor on any account whatsoever.

IN CONSIDERATION WHEREOF, said party of the second part agrees to pay to the Contractor for all work done, the unit prices on the Tender.

This agreement shall enure to the benefit of and be binding upon the heirs, executors, administrators and assigns of the parties hereto.

IN WITNESS WHEREOF, the Contractor and the Municipality have hereunto signed their names and set their seals on the day first above written, or caused their corporate seals to be affixed, attested by the signature of their proper officers, as the case may be.

\_\_\_\_\_  
Witness of the Corporation

\_\_\_\_\_  
Signature of Contractor or Seal

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Mayor, City of Peterborough

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Clerk, City of Peterborough