

THE CORPORATION OF THE CITY OF PETERBOROUGH

BY-LAW NUMBER 05-189

BEING A BY-LAW TO AUTHORIZE THE EXECUTION OF AN AGREEMENT BETWEEN THE CORPORATION OF THE CITY OF PETERBOROUGH AND ACCUREX INC. FOR THE BREALEY DRIVE TURNING LANE AT IRELAND DRIVE – Q-11-05

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 Inc. 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 12th day of September, 2005

By-law read a third time and finally passed this 12th day of September, 2005

(Sgd.) Sylvia Sutherland, Mayor

(Sgd.) Nancy Wright-Laking, City Clerk

DESCRIPTION OF THE WORK

The work under Quotation No. Q-11-05 is for the creation of a turning lane on Brealey Drive at Ireland Drive including all necessary restoration as indicated on the drawings.

The Contractor further agrees that he will deliver the whole of the works completed in accordance with this Agreement within the time stipulated in Section 1.8 entitled PROGRESS OF THE WORK.

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 Quotation.

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

IN WITNESS THEREOF, 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

Signature of Contractor or Seal of the Corporation

Witness

Mayor, City of Peterborough

Witness

Clerk, City of Peterborough