

THE CORPORATION OF THE CITY OF PETERBOROUGH

BY-LAW NUMBER 06-042

BEING A BY-LAW TO AUTHORIZE THE EXECUTION OF AN AGREEMENT BETWEEN THE CORPORATION OF THE CITY OF PETERBOROUGH AND ACCUREX INC. FOR THE JACKSON TRUNK SANITARY SEWER – WHITEFIELD DRIVE TO CLONSILLA AVENUE – T-01-06

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, second and third time this 20th day of March, 2006

(Sgd.) Sylvia Sutherland, Mayor

(Sgd.) Nancy Wright-Laking, Clerk

SECTION D

TYPICAL AGREEMENT

CITY OF PETERBOROUGH
TENDER CONTRACT NO. T-01-06

JACKSON TRUNK SANITARY SEWER
WHITEFIELD DRIVE TO CLONSILLA AVENUE

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 CONTRACT.

The Contractor agrees that any monies due to the City 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 inure 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 City 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