

**THE CORPORATION OF THE CITY OF PETERBOROUGH**

**BY-LAW NUMBER 08-138**

**BEING A BY-LAW TO AUTHORIZE THE EXECUTION OF AN AGREEMENT BETWEEN THE CORPORATION OF THE CITY OF PETERBOROUGH AND KAWARTHA CAPITAL CORP FOR THE RECONSTRUCTION OF THE REID STREET RETAINING WALL (T-36-08)**

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

1. That the Mayor and Clerk be hereby authorized to execute an agreement between the Corporation of the City of Peterborough and Kawartha Capital Corp 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 11<sup>th</sup> day of August, 2008

(Sgd.) D. Paul Ayotte, Mayor

(Sgd.) Nancy Wright-Laking, City Clerk

**SECTION D**

**TYPICAL AGREEMENT**



CITY OF PETERBOROUGH  
TENDER CONTRACT T-36-08

REID STREET RETAINING WALL RECONSTRUCTION

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.

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Witness of the Corporation

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

\_\_\_\_\_  
Witness

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

\_\_\_\_\_  
Witness

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