

Adopted as follows:
Yeas — Councilmen Castator, Comstock, Dorais, Lodge, Oakman, Rogell, Van Antwerp, and the President—8.
Nays—None.

Department of Public Works

April 4, 1946

To the Honorable, the Common Council:

Gentlemen—In response to our advertisement for the paving of Kirkwood, from Trenton to Lonyo, the following bids were received as of March 28, 1946:

Sachs & Kaufman, \$11,741.90, using Type II Curb.

The Cooke Contracting Co., \$11,932.45, using Type IV Curb.

Julius Porath & Sons, \$11,987.50, using Type IV Curb.

The bid submitted by Sachs & Kaufman is approximately 12½% under the Engineer's estimate of Aug. 20, 1945, meets the requirements of the Contract Documents, and is the lowest received.

It is therefore recommended that the contract be awarded to Sachs & Kaufman, and that the Controller be authorized and directed to set up an account in the amount of \$12,250 to cover the cost of this contract, PW-60, and the cost of inspection, advertising, and contingencies.

Respectfully submitted,

GLENN C. RICHARDS,
Commissioner.

By Councilman Comstock:

Resolved, that the Commissioner of Public Works be and he is hereby authorized and directed to enter into contract with Sachs & Kaufman for the paving of Kirkwood, from Trenton to Lonyo, in the amount of \$11,741.90; and be it further

Resolved, that the City Controller be and he is hereby authorized and directed to honor vouchers when presented and charge them against Accounts 505 (2190-905), "Street and Alley Intersections," and 506 (2190-906), "Street and Alley Assessment Paving," as set up by the Common Council under the date of August 21, 1945, the vouchers to include inspection, advertising, and contingency items as well as construction costs.

Adopted as follows:

Yeas — Councilmen Castator, Comstock, Dorais, Lodge, Oakman, Rogell, Van Antwerp, and the President—8.
Nays—None.

Department of Public Works

April 4, 1946

To the Honorable, the Common Council:

Gentlemen—In response to our advertisement for the paving of Forrer, from Margareta to 7 Mile Road, the

following bids were received as of March 28, 1946:

The Cooke Contracting Co., \$19,919.40, using Type IV Curb.

Julius Porath & Sons Co., \$21,227.60, using Type IV Curb.

Sachs & Kaufman, \$22,452.75, using Type II Curb.

Thomas E. Currie Co., \$25,542.75, using Type II Curb.

The bid submitted by The Cooke Contracting Co. is approximately 3½% over the City Engineer's estimate of January 18, 1946, but it is not believed that lower prices will result by readvertising. This bid is the lowest received and is in accordance with the Contract Documents.

It is therefore recommended that the contract be awarded to The Cooke Contracting Co., and that the City Controller be authorized and directed to set up an account in the amount of \$20,800 to cover the cost of this contract, PW-65, and the cost of inspection, advertising, and contingencies.

Respectfully submitted,

GLENN C. RICHARDS,
Commissioner.

By Councilman Comstock:

Resolved, that the Commissioner of Public Works be and he is hereby authorized and directed to enter into contract with The Cooke Contracting Co. for the paving of Forrer, from Margareta to 7 Mile Road, in the amount of \$19,919.40; and be it further

Resolved, that the City Controller be and he is hereby authorized and directed to honor vouchers when presented and charge them against Accounts 505 (2190-905), "Street and Alley Intersections," and 506 (2190-906), "Street and Alley Assessment Paving," as set up by the Common Council under the date of August 21, 1945, the vouchers to include inspection, advertising, and contingency items as well as construction costs.

Adopted as follows:

Yeas — Councilmen Castator, Comstock, Dorais, Lodge, Oakman, Rogell, Van Antwerp, and the President—8.
Nays—None.

Department of Public Works

April 5, 1946.

To the Honorable, the Common Council:

Gentlemen—Your Committee of the Whole referred petition of Tony Dalla-Vecchie, et al (No. 8054), requesting the vacation of a portion of Warren Avenue at the northwest corner of Warren and Rutland Avenues, to the Department of Public Works for further investigation and report. The vacation of this portion of Warren Avenue has been previously recommended by the City Plan Commission in their communi-

cation to your Honorable Body of December 3, 1945.

We wish to advise that the petitioners have deeded to the City of Detroit for alley purposes a three foot strip at the northerly end of their property in accordance with the request of the City Plan Commission. This deed has been approved by the Corporation Counsel's Office as to form and execution and we are herewith attaching it for your acceptance.

The petitioners have deposited on April 1, 1946, into the City Treasury the sum of \$5.40, receipt No. 47490, credited to General Road Fund Revenue Code No. 143-6221-1, to reimburse the City of Detroit for the cost of the original construction of sidewalks on the west side of Rutland Avenue across the strip proposed to be vacated.

All other City departments and private utilities reported that they will not be adversely affected by the proposed vacation and we, therefore, recommend the adoption of the attached resolution.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Dorais:

Resolved, That all that part of Warren Avenue at the northwest corner of Warren and Rutland Avenues, as platted in West Warren Park Subdivision of part of the S. 1/2 of Sec. 1, T. 2 S., R. 10 E., Dearborn Twp., Wayne County, Michigan, as recorded in Liber 50, page 6 of Plats of Wayne County Records, more particularly described as the northerly 3 feet of Warren Avenue as platted in last mentioned subdivision, lying south of and adjoining the southerly line of lots 869 and 870 of last mentioned subdivision, be and the same is hereby vacated to become a part and parcel of the adjoining property, and further

Resolved, That warranty deed of Anthony G. Grzezinski and Bernice Grzezinski, his wife, to the City of Detroit dedicating land for alley purposes north of Warren Avenue and east of Rutland Avenue, more particularly described as "the northerly 3 feet of lots 869 and 870 of West Warren Park Subdivision of part of the S. 1/2 of Sec. 1, T. 2 S., R. 10 E., Dearborn Twp., Wayne County, Michigan, as recorded in Liber 50, page 6 of Plats of Wayne County Records," be and the same is hereby accepted, and the City Controller be and he is hereby directed to record said deed in the office of the Register of Deeds for Wayne County.

Adopted as follows:

Yeas — Councilmen Castator, Comstock, Dorais, Lodge, Oakman, Rogell, Van Antwerp, and the President—8.
Nays—None.

Purchases and Supplies

To the Honorable Council:
March 26, 1946
Gentlemen—This Department is being presented with an increasing number of requests for upward price adjustment on our outstanding purchase orders. The vendors are forced to this because they cannot get protection from their sources. In order to interest vendors in accepting future orders and filling present orders, it is essential that we allow authorized increases in effect all day the goods are furnished.

We respectfully request your authorization to honor requests for price adjustments on all undelivered orders and future purchases provided they are in accordance with O.P.A. regulations, or as may be found justified by increased costs of labor and material on such items as are not specifically priced according to an O.P.A. Formula.

Respectfully,
ERNEST JONES,
Commissioner.

Corporation Counsel

To the Honorable Council:
April 4, 1946
Gentlemen—We are returning herewith the communication from the Commissioner of the Department of Purchases and Supplies addressed to your Honorable Body, requesting authorization to honor requests for price adjustments on all undelivered orders and future purchases provided they are in accordance with O. P. A. regulations.

Please be advised that the grant of a general authority to make adjustments in contract prices as requested by Commissioner cannot be squared with the duty imposed upon the Council under the charter in regard to approval of contracts, unless such a contingency has been provided for in the contract itself. (Title VI, Chapter VII, Sections 2 and 3, Charter 1944).

In regard to undelivered orders, we are unable to find any legal ground to justify the transfer of this additional cost to the city which has been legally assumed by the contractor. In regard to future contracts, this contingency may be provided against by including adequate provisions in the notice to bidders and in the specifications, covering this particular situation.

Respectfully
JULIAN P. RODGERS
Assistant Corporation Counsel

Approved:
WILLIAM E. DOWLING
Corporation Counsel.
Received and placed on file