

August 24

be indefinitely postponed, which motion prevailed.  
The regular order was resumed.

### Department of Public Works August 20, 1954.

Honorable Common Council:

Gentlemen—In response to published advertisements, bids were received on August 17, 1954, for Street Paving Group 54-7 as follows:

PW-2517P—Margareta, Harlow to Oakfield.  
PW-2518P—Keystone, Amrad to 8 Mile Road.

PW-2519W—Pierson, Glendale to Davison.  
PW-2520W—Margareta, Coddling to Grayfield.

PW-2521P—Kirkwood, Cecil to Larbins.  
PW-2522P—Iowa, Gable to Dwyer.  
PW-2523P—Cambridge, Wyoming to Cherrylawn.

PW-2524P—Grove, Lindsay to St. Marys.  
PW-2525W—Chapel, Lyndon to Eaton.

PW-2526P—Shakespeare, Bringard Dr. to Edmore Dr.

The tabulation of the bids received on each of the contracts is attached hereto.

The low bid on each of the contracts is regular in all respects and in accordance with the contract requirements. It is recommended that the contracts be awarded to the respective bidders as listed below and in the amounts stated. The total funds required include the cost of advertising, inspection, engineering, financing, and minor contingencies, as well as the contract cost.

To G. Toccalino & Sons: PW-2517P, bid \$3,929.30, funds required \$4,394.28; PW-2520W, bid \$4,516.50, funds required \$5,146.57; PW-2521P, bid, \$5,120.80, funds required \$5,699.17; PW-2522P, bid \$4,464.20, funds required \$4,921.92; PW-2526P, bid \$5,316.50, funds required \$5,822.58.

To Cooke Contracting Co.: PW-2518P, bid \$21,732.95, funds required \$23,805.01.

To Julius Porath & Son Co.: PW-2519W, bid \$11,915.10, funds required \$13,551.18; PW-2523P, bid \$18,425.50, funds required \$20,469.19; PW-2524P, bid \$20,836.10, funds required \$23,681.17; PW-2525W, bid \$10,395.40, funds required \$11,985.25.

It is recommended that the Controller be authorized and directed to set up the necessary accounts to cover these contracts and the cost of advertising, inspection, engineering, financing, and minor contingencies.

Respectfully submitted,  
GLENN C. RICHARDS,  
Acting Commissioner.

By Councilman Youngblood:  
Resolved, That the bids of the fore-

going contractors be and the same are hereby approved and accepted; and be it further

Resolved, That said bids shall remain firm until the special assessment district for the respective pavings have been determined; and be it further

Resolved, That thereupon the Commissioner of Public Works be and he is hereby authorized and directed to enter into contracts with the respective bidders listed above in accordance with the proposals, plans and specifications, subject to confirmation and approval by the Common Council; and be it further

Resolved, That payment will be made to the contractors for the assessed portion of the contract only from special assessments levied for said purpose; or from the proceeds of the sale of special assessment bonds and that payment for City portion shall be paid from the street and alley intersection fund within the General Fund. Partial or periodic payments during the course of construction shall not be authorized unless such assessments have been collected or special assessments have been collected or special assessment bonds sold and delivered; and be it further

Resolved, That in the preparation of the City Engineer's final cost statement for payment of the contract cost of new paving of streets and alleys, any deductions or additions to the original contract shall be adjusted in the City portion of the Contract, so that the original assessment roll previously confirmed and levied shall not be changed: Provided, That when such deduction or addition in the assessment exceeds 1 per cent of the contract price thereof, this procedure must be approved by the Common Council.

Adopted as follows:

Yeas—Councilmen Beck, Connor, Rogell, Smith, Van Antwerp, Wise, Youngblood, and President Miriani—8.

Nays—None.

### Department of Public Works

August 20, 1954.

Honorable Common Council:

Gentlemen—Your Committee of the Whole referred to this office for investigation and report the petition of the American Brass Company, Petition No. 1127, requesting the vacation of the east-west public alley north of Jefferson Avenue, between McKinstry and Clark Avenues. The vacation of said alley was approved by the City Plan Commission in its communication to your Honorable Body on June 2, 1954.

We wish to advise that our investigations are completed.



As per our directive on August 23, 1954, the petitioner paid into the City Treasury the sum of \$251.88, Receipt No. B-12486, credited to Public Works Maintenance Fund Code No. 143-6221-1, to reimburse the City for the original cost of paving the east 1/2 of McKinstry Avenue and the west 1/2 of Clark Avenue at the intersection of the alley requested to be vacated.

The petitioner on August 23, 1954, also deposited with the Permit Division of the Department of Public Works, the sum of \$1,200.00, Receipt No. 58141, being the estimated cost of removing paved alley returns and constructing curbing and sidewalks, necessitated by the vacation of said alley.

A proper provision is incorporated into the vacating resolution protecting the City's interests in the sewer located in the alley to be vacated.

In reply to our inquiries all other City departments and privately owned utility companies reported that they will be unaffected by the vacation of said alley or that they have reached satisfactory agreements with the petitioner regarding their installations therein.

We recommend the adoption of the attached resolution.

Respectfully submitted,  
GLENN C. RICHARDS,  
Acting Commissioner.

By Councilman Youngblood:

Resolved, That all of the east-west alley, 20 feet wide, north of Jefferson Avenue, between McKinstry and Clark Avenues, as platted in Riverside Subdivision of part of PC. 47 south of Fort Street and north of River Road, as recorded in Liber 1, Page 191 of Plats, Wayne County Records, lying north of and adjoining the north line of lots 1 to 13 inclusive, south of and adjoining the south line of lots 14 and 16, and south of and adjoining the south line of the 20 foot vacated alley lying between lots 14 and 16, all of the above mentioned subdivision, be and the same is hereby vacated as a public alley to become a part and parcel of adjoining property, subject to the following provisions:

1. Provided, That by reason of the vacation of the above-described alley, the City of Detroit does not waive any rights to the sewer located therein, and at all times shall have the right to enter upon the premises, if found necessary on account of said sewer to repair, alter, or service same; and further

2. Provided, That if a building is to be constructed over said sewer, the sewer shall be replaced with cast iron pipe of the same size, rerouted or encased in 6 inches of Class A concrete, or in lieu of the above, such work shall be done as will be specified by the City Engineer, all of the work mentioned to be done under the supervision and inspection of the De-

partment of Public Works and all costs entailed to be borne by the petitioners, their successors, or assigns; and further

3. Provided, That no buildings shall be constructed over said sewer without the prior approval of such building construction by the City Engineer and the Department of Buildings and Safety Engineering; and further

4. Provided, In the event that the sewers located in said alley, if built upon, shall break causing damage to any construction above, the petitioner and its assigns, by acceptance of the permit for building over said sewer waive all claims for damages to such construction and agree to pay all costs incident to the repair of such broken sewer.

Adopted as follows:

Yeas — Councilmen Beck, Connor, Rogell, Smith, Van Antwerp, Wise, Youngblood, and President Miriani—

8.

Nays—None.

Department of Public Works

August 18, 1954.

Honorable Common Council:

Gentlemen—In accordance with your request, we transmit herewith a report on the Public Sewer Construction Program, showing construction and design status as of August 1954.

Respectfully submitted,

M. F. WAGNITZ,  
Acting City Engineer.

Approved:

GLENN C. RICHARDS,  
Acting Commissioner.

REPORT ON STATUS OF  
PUBLIC SEWER CONSTRUCTION  
PROGRAM  
AUGUST 18, 1954

The following projects are now under Contract:

Item 1, Description, Southfield Outlet Sewer, Contractor Michigan Sewer Const. Co., Date of Award 6-8-54, Contract Amount \$786,000.00, Per Cent Compl 8-1-54 0.

Item 2, Description, Conner Creek Dredging, Contractor Great Lakes Dock & Dredge, Date of Award 7-20-54, Contract Amount \$303,490.00, Per Cent Compl. 8-1-54 0.

Item 3, Description, Conant-Mt. Elliott Relief Section 1, Contractor Kenny Construction Company, Date of Award 4-7-53, Contract Amount \$783,520.00, Per Cent Compl. 8-1-54, 97.

Item 4, Description, Conant-Mt. Elliott Relief Sections 2 and 3, Contractor Gargaro Company, Inc., Date of Award 5-26-53, Contract Amount \$5,393,000.00, Per Cent Compl. 8-1-54 49.

Item 5, Description, Freud Pumping Station, Contractor Several, Date of Award Various, Contract Amount