

Our estimated construction cost for Change Order No. 1 was \$34,000.00; the J. A. Marble Company bid price is \$33,747.00. Presently, the J. A. Marble Company has completed 30 percent of the total installation, and two of the four coal-fired boilers will be converted to gasfiring before November 30, 1972; but without the equipment in Change Order No. 1, the total conversion will only be minimal and the process of awarding another contract is very lengthy.

The Detroit Housing Commission approved awarding the additional work, as specified in Change Order No. 1, to the J. A. Marble Company on June 8, 1972; therefore, to expeditiously process Change Order No. 1 and permit the contractor to immediately order the additional equipment, we are requesting a waiver of reconsideration and your Honorable Body's approval of Change Order No. 1 to Contract No. 988.

Respectfully submitted,
HAROLD R. VARNER,
 Director-Secretary.

Approved:
W. I. STECHER
 Controller

By Councilman Rogell:
 Resolved That the Detroit Housing Commission be and is hereby authorized to execute Change Order No. 1 to Contract No. 988 with the J. A. Marble Company and that the contract shall not exceed \$296,000.00; and

Resolved, That a Waiver of Reconsideration for Change Order No. 1 be approved; and

Be It Further Resolved, That the Controller be and is hereby authorized and directed to honor vouchers when presented in accordance with the foregoing communication and this Resolution.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Hood, Levin, Rogell, Wierzbicki, and President Ravitz -- 7.
 Nays — None.

*RECONSIDERATION (No. 4), per motions before adjournment.

Public Lighting Commission

September 21, 1972

Honorable Common Council:
 Re: Contract PL-45; Outdoor Addition - Mistersky Power Plant; Award of Contract.

Gentlemen — In response to published advertisements, four bids were received on September 19, 1972, by the City Engineer's Office, for the Outdoor Addition - Mistersky Power Plant, Contract PL-45. A tabulation of the bids is attached.

The low bid is regular in all respects and in accordance with the Contract requirements. It is the recommendation of the City Engineer,

with which we concur, that the Contract be awarded to the low bidder, Joba Construction Co., Inc., in the amount of \$111,911.

It is estimated that \$136,000 will be required, which will include the cost of advertising, inspection, design engineering, and possible minor contingencies, in addition to the Contract price. Funds are available in Account 195-9610-920.

Respectfully submitted,
CLAUDE H. BRADFORD
 General Superintendent

Recommended:
LOUIS W. KLEI
 City Engineer

Approved:
W. I. STECHER
 Controller

By Councilman Wierzbicki:
 Resolved, That the Public Lighting Commission be and is hereby authorized and directed to enter into Contract for the Outdoor Addition - Mistersky Power Plant, Contract PL-45, in the amount of \$111,911; and be it further

Resolved, That the Controller be and is hereby authorized and directed to honor vouchers when presented, the vouchers to include the cost of advertising, inspection, design engineering, and possible minor contingencies, as well as the Contract cost, and charge them to Account 195-9610-920.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Hood, Levin, Rogell, Wierzbicki, and President Ravitz — 7.

Nays — None.

*RECONSIDERATION (No. 5), per motions before adjournment.

Department of Public Works

October 19, 1972

Honorable Common Council:
 Re: Petition No. 3743. Detroit Housing Commission. Alley Vacations and Street Dedications Milwaukee Junction Project No. 2.

Gentlemen — We wish to advise that in carrying out the development plan for the area known as the Milwaukee Junction Project No. 2, which is being undertaken by the City pursuant to Act 344 of the Public Acts of 1945 as amended, the Detroit Housing Commission has requested that certain alleys be vacated and new alley outlets dedicated; also a property dedication for the future widening of Russell Street.

The Detroit Edison Company has replied that they have facilities that will have to be removed. They have submitted an estimated cost of \$2,176.00 to perform this work.

The Michigan Bell Telephone Company has replied that they have facilities that will have to be removed. They have submitted an

estimated cost of \$2,486.00 to perform this work.

A recent Supreme Court decision requires that the private utility companies be compensated for alteration to their facilities in Urban Renewal areas.

The petitioner has requested that the paved returns at the entrance to the alleys to be vacated remain in their present status as the petitioner plans to utilize same, and has agreed to pay all costs incidental to the removal of same whenever the discontinuance of use makes such removal necessary.

Proper provisions are incorporated into the vacating resolution protecting the City's interest in sewers located or to be located in the public right - of - ways to be vacated.

All other involved City departments and privately owned utility companies reported that they have no objection to the proposed vacation or that they have reached satisfactory agreements with the petitioner regarding their installations therein.

An appropriate resolution is attached for consideration by your Honorable Body.

Respectfully submitted,

CLARENCE C. RUSSELL,
Commissioner

By Councilman Rogell:

Whereas, the City of Detroit is undertaking the rehabilitation of the area known as Milwaukee Junction Project No. 2 pursuant to Act 344 of the Public Acts of 1945, as amended, and

Whereas, In order to carry out the development plan for this project it is necessary to vacate certain alleys and to dedicate land necessary for the future widening of Russell Street; therefore be it

Resolved, That all that part of the north-south public alley, 18.6 feet wide, in the block bounded by Russell, Riopelle, Kirby, and Ferry abutting the southerly line of Ferry Avenue, 60 feet wide, and abutting a line 165.58 feet south of and parallel to said south line of Ferry all inclusive of Kanady's Subdivision of Outlot 6 Guoin Farm, City of Detroit, Wayne County, Michigan, as recorded in Liber 4, Page 1, Plats, Wayne County records,

Be and the same is hereby vacated as a public alley to become a part and parcel of the abutting property; and be it further

Resolved, That all that part of the north-south public alley in the block bounded by Russell, Riopelle, Kirby, and Ferry abutting the north line of Kirby Avenue, 60 feet wide, and the southerly line of the east-west public alley, 20 feet wide, in the same block; also

All that part of the "L" shaped alley, 15 and 20 feet wide, first south of Ferry in the block bounded by Russell, Riopelle, Kirby, and Ferry abutting the westerly line of Riopelle Avenue, 50 feet wide, and abutting a line 6 feet northerly of and parallel to the northerly line of the east-west alley, 20 feet wide, in the same block; also

All that part of the "L" shaped alley, 15 and 20 feet wide, first north of Kirby Avenue, between Russell and Riopelle abutting the westerly line of Riopelle Street, 50 feet wide, and abutting the southerly line of the east-west public alley, 20 feet wide, in the same block;

All of the foregoing alleys being a part of the following subdivisions:

"Kanady's Subdivision" of Outlot 6, Guoin Farm, City of Detroit, Wayne County, Michigan, as recorded in Liber 4, Page 1, Plats, Wayne County records;

"Andrus and Warren's Subdivision" of part of the Riopelle Farm, between Farnsworth Street and Ferry Avenue, Detroit, Wayne County, Michigan, as recorded in Liber 16, Page 2, Plats, Wayne County records;

"Plat of the subdivision of Outlots 7, 8, and 9 Guoin Farm" north of Gratiot Road, T.2.S., R.12.E., Detroit, Wayne County, Michigan, as recorded in Liber 7, Page 15, Plats, Wayne County records;

Be and the same are hereby vacated as public alleys to become a part and parcel of the abutting property subject to the following provisions:

1) Provided, That by reason of the vacation of the above property, the City of Detroit does not waive any rights to the sewers located or to be located therein, and, at all times, shall have the right to enter upon the premises, if found necessary to repair said sewers, alter, service or install same, and further

2) Provided, That no building shall be constructed over said sewers without the prior approval of such building construction by the Sewer Services Section of the Detroit Metro Water Department and the Department of Buildings and Safety Engineering; and further

3) Provided, In the event that the sewer located or to be located in said property shall break, causing damage to any construction, property or materials above, the petitioners and their assigns, by acceptance of the permit for construction over said sewer, waive all claims for damages; and further

4) Provided, That if the sewer located or to be located in said property shall break or be damaged, as a result of any action on the part of the petitioner, or assigns (by way of illustration but not limitation, such as storage of excessive weights

of materials, or any construction not in accordance with Provision 2, mentioned above), then in such event, the petitioner or assigns shall be liable for all costs incidental to the repair of such broken or damaged sewer; and shall also be liable for all claims for damages resulting from his action, and further

Resolved, That upon proper application, the Department of Public Works shall issue to the Detroit Edison Company and the Michigan Bell Telephone Company permits to relocate their pipes, poles and lines from the areas vacated to public streets most conveniently located in reference to the vacated alleys and consistent with the public health, safety, convenience, and general welfare; and be it further

Resolved, That the Detroit Edison Company and the Michigan Bell Telephone Company are hereby directed to remove all their pipes, poles, and lines from the vacated streets and alleys within thirty days of a copy of this resolution; and further

Resolved, That the Detroit Housing Commission is hereby authorized and directed to pay the following estimated charges for private utility removal or relocation:

- Detroit Edison Company, \$2,176.00.
 - Michigan Bell Telephone Co., \$2,486.00.
- and be it further

Resolved, That for the purpose of widening and opening the east-west alley in the block bounded by Russell, Riopelle, Kirby, and Ferry to a width of 26 feet and abutting the west line of Riopelle Street, 50 feet wide, and the east line of Russell Street as widened to 80 feet, the following described land is hereby set aside for alley purposes and placed under the jurisdiction of the Department of Public Works:

The northerly 11.58 feet of the easterly 88.0 feet of Lot 1, the southerly 14.42 feet of the easterly 88.0 feet of Lot 2; and the southerly 6.0 feet of Lots 15 to 20 inclusive of "Kanady's Subdivision" of Outlot 6, Guoin Farm as recorded in Liber 4, Page 1, Plats, Wayne County records; also

The southerly 15.93 feet of Lot 41, and the northerly 10.07 feet of Lot 42, inclusive of "Andrus and Warren's Subdivision" of part of the Riopelle Farm as recorded in Liber 16, Page 2, Plats, Wayne County records; and be it further

Resolved, That for the purpose of widening Russell Street to a width of 80 feet between Farnsworth and Ferry Avenues, the following described land is hereby set aside for street purposes and placed under the jurisdiction of the Department of Public Works:

The westerly 20.0 feet of lots 1, 20, and 41 and the "Plat of the Subdivision of Outlots 7, 8, and 9, Guoin Farm, north of Gratiot Road, T.2.S., R.12.E., Detroit, Wayne County, Michigan, as recorded in Liber 7, Page 15, Plats, Wayne County records; also

The westerly 20.0 feet of lots 1 to 10 of "Patrick's Subdivision of lots 21, 22, 23, 24, 37, 38, 39, 40 and 18.6 feet of lot 44 including vacated alley north of lots 21, 22, 23, and 24 and south of 37, 38, 39, and 40 of the subdivision of Outlots 7, 8, and 9, Guoin Farm north of Gratiot Road," Detroit Wayne County, Michigan, as recorded in Liber 9, Page 67, Plats, Wayne County records; also

The westerly 20.0 feet of lots 1 to 7 of "Kanady's Subdivision" of Outlot 6, Guoin Farm, as recorded in Liber 4, Page 1, Plats, Wayne County records; and be it further

Resolved, That the City Clerk is hereby directed to mail to the Detroit Edison Company and the Michigan Bell Telephone Company a certified copy of this resolution.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Hood, Levin, Rogell, Wierzbicki, and President Ravitz — 7.

Nays — None.

*RECONSIDERATION (No. 6), per motions before adjournment.

Department of Public Works

October 27, 1972

Honorable Common Council:

Gentlemen—Submitted herewith for confirmation are contracts entered into as authorized and directed by your formal proceedings dated below:

Contract No. PW-6220MS for Area Demolition — Frame, Brick Veneer, Solid Masonry and Commercial Buildings in the Outside Sector. (\$42,829.00); Contractor Adamo Wrecking Company; Award Authorized 10-10-72.

Contract No. PW-6223F for Area Demolition—Frame and Brick Veneer Residential Buildings in the Northeast Sector. (\$ 87,393.00); Contractor Adamo Wrecking Company; Award Authorized 10-10-72.

Respectfully submitted,
CLARENCE C. RUSSELL
Commissioner

By Councilman Wierzbicki:

Resolved, That contracts as listed in the foregoing communication be and the same are hereby confirmed.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Hood, Levin, Rogell, Wierzbicki, and President Ravitz — 7.

Nays — None.

*RECONSIDERATION (No. 7) per motions before adjournment.