

Upon motion, seconded and carried, the meeting was recessed, subject to call of the Mayor.

Approved: Tom Miller
Mayor

Attest:

Helen McLean
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, December 22, 1938.

The City Council convened in regular session at the regular meeting place, on Thursday, December 22, 1938, at 10:30 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; absent, none.

The reading of the Minutes was dispensed with.

Councilman Alford introduced the following resolution:

WHEREAS, the general budget of the City of Austin, Texas, for the year 1939 was presented to the City Council by the City Manager and filed with the City Clerk of said City on December 17, 1938, for public inspection; and

WHEREAS, the law requires that the City Council shall provide for a public hearing on such budget, which hearing shall take place on some date to be fixed by the City Council not less than fifteen days subsequent to the time such budget is filed; and that public notice shall be given that on the date of hearing the budget prepared by the City Manager will be considered by the City Council and that notice of such hearing shall name the hour, the date and the place where the hearing shall be conducted, and that any taxpayer of the City shall have the right to be present and participate in such hearing; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT a public hearing on said general budget of the City of Austin for the year 1939 will be held in the Municipal Building in the City of Austin, situated on the corner of Eighth and Colorado Streets in said City, at 11 o'clock A. M., on the 5th day of January, 1939, at which hearing any taxpayer of the City of Austin will have the right to be present and participate in such hearing, and that a notice of such hearing be published in one issue of the Austin American not less than 10 days before the date set for such hearing.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Councilman Gillis introduced the following resolution:

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City

Council; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Texas Public Service Company be, and the same is hereby, permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in WOOLDRIDGE DRIVE across Clair Avenue intersection, the centerline of which gas main shall be $13\frac{1}{2}$ feet west of and parallel to the east line of said Wooldridge Drive.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

(2) A gas main in CLAIR AVENUE from Wooldridge Drive easterly approximately 10 feet, the centerline of which gas main shall be 9 inches south of and parallel to the north line of said Clair Avenue.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

(3) A gas main in SANTA RITA STREET across the Pedernales Street intersection, the centerline of which gas main shall be 6 feet south of and parallel to the north line of said Santa Rita Street.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

(4) A gas main in PEDERNALES STREET across Santa Rita Street intersection, the centerline of which gas main shall be $7\frac{1}{2}$ feet west of and parallel to the east line of said Pedernales Street.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

(5) A gas main in NEWFIELD LANE southerly 40 feet from a point 10 feet south of the south line of Polo Road, the centerline of which gas main shall be $7\frac{1}{2}$ feet west of and parallel to the east line of said Newfield Lane.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

(6) A gas main in WEST 10TH STREET westerly 52 feet from a point 582 feet west of West Avenue, the centerline of which gas main shall be 16 feet south of and parallel to the north line of said West 10th Street.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

(7) A gas main in ELTON LANE northerly 80 feet from a point 200 feet north of the north line of Enfield Road, the centerline of which gas main shall be 5 feet west of and parallel to the east line of said Elton Lane.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

(8) A gas main in SHELLEY AVENUE from West 13th Street southerly 32 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet west of and parallel to the east line of said Shelley Avenue.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

(9) A gas main in EAST 13TH STREET from Shelley Avenue easterly 63 feet, the centerline of which gas main shall be 7 feet south of and parallel to the north line of said East 13th Street.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

(10) A gas main in HORN LANE from John D. McCall Road westerly approximately 50 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of and parallel to the north line of said Horn Lane.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

(11) A gas main in JOHN D. MCCALL ROAD across Horn Lane intersection, the centerline of which gas main shall be $7\frac{1}{2}$ feet west of and parallel to the east line of said John D. McCall Road.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

(12) A gas main in EAST 32ND STREET from Hampton Road to Red River Street, the centerline of which gas main shall be 14 feet north of and parallel to the south line of said East 32nd Street.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

(13) A gas main in EAST 32ND STREET from Red River Street easterly 655 feet, the centerline of which gas main shall be 20 feet south of and parallel

to the north line of said East 32nd Street.

Said gas main described above shall have a covering of not less than 2½ feet.

(14) A gas regulator pit, size 7'x9'x6', in EAST 32ND STREET at a location east of Red River Street, the center of which regulator pit shall be 20 feet south of the north line of said East 32nd Street and 15 feet east of the east line of Red River Street.

Said gas main described above shall have a covering of not less than 2½ feet.

(15) A gas main in DANCY STREET from East 28TH STREET southerly 284 feet, the centerline of which gas main shall be 7½ feet east of and parallel to the west line of said Dancy Street.

Said gas main described above shall have a covering of not less than 2½ feet.

(16) A gas main in PEDERNALES STREET from Willow Street southerly 210 feet, the centerline of which gas main shall be 19 feet west of and parallel to the east line of said Pedernales Street.

Said gas main described above shall have a covering of not less than 2½ feet.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Texas Public Service Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the City Engineering Department not less than three (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain granted to said Company by the City of Austin.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Mayor Miller moved that the City Manager be authorized to approve the following resolution of the Board of Trustees of the Austin Independent School District. The motion was seconded by Councilman Gillis. The motion was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The resolution is as follows:

WHEREAS, due to the rush of taking bids on uncorrelated parts of the school construction program under Docket 2134-F, on account of the short time between the receipt of the offer on October 31, 1938, and the time of placing each building under construction, i.e., January 1, 1939, there will be many minor change orders required; and

WHEREAS, the majority of these change orders will require no extra cost and a large proportion of the minor change orders will require only a small increase in cost and will largely be technical changes which will not require the study nor action of the School Board as a body assembled;

THEREFORE, BE IT RESOLVED that the following policy be established and the following procedure be authorized:

1. That all "minor change orders" affecting no difference in cost be authorized without the approval of the Board, or any member of the Board, if the same is recommended

by the Associate Architect and approved by the Supervising Architect; provided, that these minor change orders in no way affect the use to which the building or equipment is to be put.

2. That all change orders, recommended by the Associate Architect and endorsed by the Supervising Architect, in which the cost difference does not exceed the sum of \$500, may be executed and signed upon the approval of the Chairman of the Building Committee.

I, Cousins Gregg, Secretary to the Superintendent of Schools, do hereby certify the above Resolution was introduced and unanimously carried at a Special Meeting of the Board of Trustees of the Austin Independent School District in the office of the Superintendent of Schools on December 16, 1938.

(Signed) Cousins Gregg
Secretary, Superintendent of
Schools.

(SEAL)

The application of Willie Paul and Mrs. Bertha C. King, owners, for a change in zoning from "A" Residence District to "C" Commercial District, and from First Height and Area District to Second Height and Area District, of Lots 1, 2, 3, 4, 5, Block 5, Alta Vista Addition, lying between 43rd and 44th Streets and Maybelle Avenue and Alice Avenue, was received, and the matter was referred to the Board of Adjustment for recommendation.

The application of G. L. Tumey, et al., for a change in zoning from "A" Residence District to "C" Commercial District, and from First Height and Area District to Second Height and Area District, of all that property fronting on Newton Street between West Monroe Street and West Milton Street and extending west for a depth of 100 feet, was received, and the matter was referred to the Board of Adjustment for recommendation.

The application of Mrs. J. R. McKee, by Walter L. Callan, Agent, for change in zoning from "A" Residence District to "C" Commercial District, of Lot 16, located at the corner of Ash Street and Robin Hood Trail, was received, and the matter was referred to the Board of Adjustment for recommendation.

The following report on tabulation of bids by the Engineer was received:

"Austin, Texas
December 22, 1938

PWA Docket No. Tex-1847-2-F-3
Water Works Improvements
Water Reservoir Improvements
Austin, Texas

Honorable Mayor and City Council:

We submit herewith a summary of the tabulation of bids on the Reservoir Cover as set out under the above docket number of the Public Works Administration:

Yarbrough Construction Company -	\$64,715.00
Rex Kitchens -	68,777.00
R. H. Folmar	71,213.00
Brown & Root, Inc.	82,000.00
J. M. Odom	82,765.00
J. F. Johnson	96,765.00

We recommend that the award be made to Yarbrough Construction Company for the lowest and best bid of \$64,715.00.

Sincerely yours,

(Signed) Walter E. Sanholm
Supervising Engineer of Staff. "

Councilman Alford introduced the following resolution and moved its adoption. The motion was seconded by Councilman Wolf. The motion was carried by the following vote; Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The resolution is as follows:

WHEREAS, in accordance with the requirements of the Federal Emergency Administration

of Public Works, and the provisions of the City Charter of the City of Austin, Texas, proposal for bids for the construction of a Reservoir Cover for the City Reservoir, Austin, Texas, under PWA Docket No. Texas-1847-2-F-3, was duly advertised to be received by the City Manager and publicly opened at 10 A. M., Wednesday, December 21, 1938, at the City Hall, Austin, Texas; and

WHEREAS, at said time and place bids were publicly opened and read as specified; and

WHEREAS, thereupon it was found that the base bid of Yarbrough Construction Company of Austin, Texas, in the amount of \$64,715.00, for the construction of a Reservoir Cover for the City Reservoir, Austin, Texas, under PWA Docket No. Texas-1847-2-F-3, was the lowest and best bid under said project, and that said bid was regular and proper in all particulars; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS:

THAT said bid of Yarbrough Construction Company, in the amount of \$64,715.00, for the construction of a Reservoir Cover for the City Reservoir, Austin, Texas, be, and the same is hereby, accepted, subject to the approval of the Federal Emergency Administration of Public Works, and the City Manager in behalf of the City of Austin is authorized and instructed to enter into a contract with the said Yarbrough Construction Company, subject to the approval of the Federal Emergency Administration of Public Works.

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The following tabulation of bids by the Engineer was received:

"Austin, Texas
December 22, 1938

PWA Docket No. Tex-1847-2-F-4
Water Works Improvements
Service Station Improvements
Austin, Texas

Honorable Mayor and City Council:

We submit herewith a summary of the tabulation of bids on the Service Station Improvements as set out under the above docket number of the Public Works Administration:

J. M. Odom -	\$49,996.00
Rex Kitchens	50,333.00
Yarbrough Construction Co.	51,152.00
R. H. Folmar	57,239.00

We recommend that the award of this project be made to J. M. Odom as the lowest and best bid of \$49,996.00.

Sincerely yours,

(Signed) Walter E. Senholm
Supervising Engineer of Staff. "

Councilman Gillis then introduced the following resolution and moved its adoption. The motion was seconded by Councilman Bartholomew. The motion was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The resolution is as follows:

WHEREAS, in accordance with the requirements of the Federal Emergency Administration of Public Works, and the provisions of the City Charter of the City of Austin, Texas, proposal for bids for the construction of certain improvements to the Service Station of the City of Austin, under PWA Docket No. Tex-1847-2-F-4, was duly advertised to be received by the City Manager and publicly opened at 10 A. M., Wednesday, December 21, 1938, at the City Hall, Austin, Texas; and

WHEREAS, at said time and place bids were publicly opened and read as specified; and

WHEREAS, thereupon it was found that the base bid of J. M. Odom of Austin, Texas, in the amount of \$49,996.00, for the construction of certain improvements to the Service Station of the City of Austin, under PWA Docket No. Tex-1847-2-4, was the lowest and best bid under said project, and that said bid was regular and proper in all particulars; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS:

THAT said bid of J. M. Odom, in the amount of \$49,996.00, for the construction of certain improvements to the Service Station of the City of Austin, be and the same is hereby accepted, subject to the approval of the Federal Emergency Administration of Public Works, and the City Manager in behalf of the City of Austin is authorized and instructed to enter into a contract with the said J. M. Odom, subject to the approval of the Federal Emergency Administration of Public Works.

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The following tabulation of bids by the Engineer was received:

"Austin, Texas
December 22, 1938

PWA Docket No. Tex-1847-1-P-F-3
Electric Power Plant & System
Power Plant Roofs
Austin, Texas

Honorable Mayor and City Council:

We submit herewith a summary of the tabulation of bids on power plant roofs as set out under the above docket number of the Public Works Administration:

Little-Goslin Company -	\$6,832.00
J. M. Odom	7,410.00
Yarbrough Construction Co.	7,840.00
L. L. McCandless	8,636.00

We recommend that the award of this project be made to Little-Goslin Company as the best and lowest bid of \$6,832.00.

Sincerely yours,

(Signed) Walter E. Seaholm
Supervising Engineer of Staff. "

Councilman Wolf then introduced the following resolution and moved its adoption. The motion was seconded by Councilman Alford. The motion was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The resolution is as follows:

WHEREAS, in accordance with the requirements of the Federal Emergency Administration of Public Works, and the provisions of the City Charter of the City of Austin, Texas, proposal for bids for the alteration and repair of the roof structure at the Power Plant, under PWA Docket No. Tex-1847-1-PF-3, was duly advertised to be received by the City Manager and publicly opened at 10 o'clock A. M., Wednesday, December 21, 1938, at the City Hall, Austin, Texas; and

WHEREAS, at said time and place bids were publicly opened and read as specified; and

WHEREAS, thereupon it was found that the base bid of Little-Goslin of Austin, Texas, in the amount of \$6,832.00, for the alteration and repair to the roof structure at the Power Plant, under PWA Docket No. Tex-1847-1-PF-3, was the lowest and best bid under said project, and that said bid was regular and proper in all particulars; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS:

THAT said bid of Little-Goslin, in the amount of \$6,832.00, for the alteration and repair of the roof structure at the Power Plant, City of Austin, be and the same is hereby accepted, subject to the approval of the Federal Emergency Administration of Public Works, and the City Manager in behalf of the City of Austin is authorized and instructed to enter into a contract with the said Little-Goslin, subject to the approval of the Federal Emergency Administration of Public Works.

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The following tabulation of bids by the Engineer was received:

"Austin, Texas
December 22, 1938

PWA Docket No. Texas-1847-1-P-F-4
Electric Power Plant & System
Deaerating Feed Water Heater
Austin, Texas

Honorable Mayor and City Council:

We submit herewith a summary of the tabulation of bids received on the deaerating feed water heater and piping under the above docket number of the Public Works Administration:

Fox-Schmidt -	\$26,454.00
J. M. Odom	27,600.00

We recommend that these bids be rejected.

Sincerely yours,

(Signed) Walter E. Seaholm
Supervising Engineer of Staff. "

Councilman Wolf then introduced the following resolution and moved its adoption. The motion was seconded by Councilman Alford. The motion was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The resolution is as follows:

WHEREAS, in accordance with the requirements of the Federal Emergency Administration of Public Works and the provisions of the City Charter of the City of Austin, Texas, proposal for bids for the installation of a Deaerating Heater at the Power Plant of the City of Austin, under PWA Docket No. Texas-1847-1-PF-4, was duly advertised to be received by the City Manager and publicly opened at 10 A. M., Wednesday, December 21, 1938, at the City Hall, Austin, Texas; and

WHEREAS, at said time and place bids were publicly opened and read at the time specified; and

WHEREAS, an analysis of the bids received disclosed that all were in excess of the money available, and from the economics this installation is deemed inadvisable at this time; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS:

THAT the City Manager be instructed to reject all bids received, and to advise the Regional Director of the Public Works Administration of such action on the part of the City Council of the City of Austin.

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Councilman Wolf introduced the following resolution and moved its adoption. The motion was seconded by Councilman Alford. The motion was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The resolution is as follows:

WHEREAS, in accordance with the requirements of the Federal Emergency Administration of Public Works, and the provisions of the City Charter of the City of Austin, Texas, proposal for bids for the installation of a high service pump at the Filter Plant of the City of Austin, under PWA Docket No. Tex-1847-2F-1, was duly advertised to be received by the City Manager and publicly opened at 2:00 P. M., Friday, December 16, 1938, at the City Hall, Austin, Texas; and

WHEREAS, at said time and place bids were publicly opened and read as specified; and

WHEREAS, thereupon it was found that the bid of J. M. Odom of Austin, Texas, in the amount of \$26,435.00, for the installation of a high service pump at the Filter Plant of the City of Austin, under PWA Docket No. Tex-1847-2F-1, was the lowest and best bid under said project, and that said bid was regular and proper in all particulars; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS:

THAT said bid of J. M. Odom, in the amount of \$26,435.00, for the installation of a high service pump at the Filter Plant of the City of Austin, be and the same is hereby accepted, subject to the approval of the Federal Emergency Administration of Public Works, and the City Manager in behalf of the City of Austin is authorized and instructed to enter into a contract with the said J. M. Odom, subject to the approval of the Federal Emergency Administration of Public Works.

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The following tabulation of bids by the Engineer was received:

"Austin, Texas
December 21, 1938

Mr. Gulton Morgan
City Manager
Austin, Texas

Re: PWA Docket Tex-2072-F-3
34th Street Bridge
Austin, Texas

Dear Sir:

The bids received at 2:00 P. M. this afternoon have been tabulated and the totals are as follows:

Rex D. Kitchens -	\$19,411.63
J. C. Gilstrap	21,972.75
Ed Lorey	22,802.56
J. F. Johnson	23,316.50
Yarbrough Construction Co.	24,133.38
Brown & Root, Inc.	26,377.25
J. M. Odom	29,987.50

I recommend that the contract be awarded to the low bidder, Rex D. Kitchens, for \$19,411.63.

Yours very truly,

(Signed) J. E. Motheral
City Engineer. "

Councilman Wolf introduced the following resolution and moved its adoption. The motion was seconded by Councilman Alford. The motion was carried by the following vote : Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The resolution is as follows:

WHEREAS, in accordance with the requirements of the Federal Emergency Administration of Public Works, and the provisions of the City Charter of the City of Austin, Texas, proposal for bids for the construction of a bridge over Shoal Creek at 34th Street,

City of Austin, under PWA Docket No. Tex-2072-F-3, was duly advertised to be received by the City Manager and publicly opened at 2 P. M., Wednesday, December 21, 1938, at the City Hall, Austin, Texas; and

WHEREAS, at said time and place bids were publicly opened and read as specified; and

WHEREAS, thereupon it was found that the base bid of Rex D. Kitchens of Austin, Texas, in the amount of \$19,411.63, for the construction of a bridge over Shoal Creek at 34th Street, City of Austin, under PWA Docket No. Tex-2072-F-3, was the lowest and best bid under said project, and that said bid was regular and proper in all particulars; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS:

THAT said bid of Rex D. Kitchens, in the amount of \$19,411.63, for the construction of a bridge over Shoal Creek at 34th Street, City of Austin, be and the same is hereby accepted, subject to the approval of the Federal Emergency Administration of Public Works, and the City Manager in behalf of the City of Austin is authorized and instructed to enter into a contract with the said Rex D. Kitchens, subject to the approval of the Federal Emergency Administration of Public Works.

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Upon motion, seconded and carried, the meeting was recessed to 3:00 P. M., Friday, December 23, 1938.

Approved:

Tom Miller
Mayor

Attest:

Walter McKeen
City Clerk

RECESSED MEETING OF THE CITY COUNCIL:

Austin, Texas, December 23, 1938.

The City Council convened in a recessed session of its regular meeting of December 22, 1938, at the regular meeting place at the City Hall, on Friday, December 23, 1938, at 3:00 P. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen Chas. F. Alford, C. E. Bartholomew, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf; absent, none.

The following resolution of the Board of Trustees of the Austin Independent School District was received:

RESOLUTION OF THE BOARD OF TRUSTEES,
AUSTIN INDEPENDENT SCHOOL DISTRICT.

WHEREAS, Mr. C. W. Guthrie, representing Will O'Connell, general contractor of San Angelo, low bidder on base bid No. 3 under Unit No. 11, having filed a verbal notice during tabulation of bids of an error in said proposal, appeared before this meeting with a written statement, properly sworn to, certifying that an honest error had been made in addition by omission of \$10,000 on said bid and personally requested the Board to allow the withdrawal of said bid and to waive penalty since no delay or damage had occurred; and

WHEREAS, the supervising architect advised that with the large number of bids now being received that such a mistake could easily have occurred honestly, due to the last minute rush of preparing these bids; and

WHEREAS, it is not the desire of the Board to hold any bidder to a contract through which said bidder would suffer loss, nor is it the desire of the Board to penalize a bidder where facts indicate that the error was made honestly;

THEREFORE, BE IT RESOLVED that the Board of Trustees of the Austin Independent School District recommend to the City Council of Austin that Will O'Connell, general contractor of San Angelo, Texas, be allowed to withdraw his bid on base bid No. 3 and upon the combined bid, and that no penalty be exacted.

I, Cousins Gregg, secretary to the superintendent of schools of the Austin Independent School District, hereby certify that the above resolution was unanimously carried at a special meeting of the Board of Trustees, held at the office of the School Board at 8:00 P. M., December 22, 1938, at which the following were present:

Rudolph Mueller, Vice-Chairman
L. H. Blendermann, Chairman, Building Committee
Mrs. A. P. Robinson
Mrs. Eleanor H. Wells
Carl T. Widen; and
J. Harris Gardner, Members; and
A. N. McCallum, Superintendent of Schools.

(Signed) Cousins Gregg
Secretary to Superintendent
of Schools.

(SEAL)

Councilman Gillis introduced the following resolution and moved its adoption. The motion was seconded by Councilman Bartholomew. The motion was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The resolution is as follows:

WHEREAS, the City Council is in receipt of a resolution by the Board of Trustees of the Austin Independent School District recommending that Will O'Connell, Contractor of San Angelo, Texas, be allowed to withdraw his low bid of \$6000.00 for bid No. 3 of Unit No. 11, the Contractor claiming to have made an honest error in compiling said bid; and

WHEREAS, the fact that the next lowest bid was in the sum of \$16,520.00, it is apparent that there was an error in the bid; and

WHEREAS, it is not the intention of the City Council to take advantage of such an honest error; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the recommendation of the Board of Trustees of the Austin Independent School District allowing Mr. Will O'Connell to withdraw his bid without penalty is hereby approved.

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Councilman Bartholomew introduced the following resolution and moved its adoption. The motion was seconded by Councilman Alford. The motion was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The resolution is as follows:

WHEREAS, in accordance with the requirements of the Federal Emergency Administration of Public Works, and the provisions of the City Charter of the City of Austin, Texas, Proposals for Bids for the construction of Units 7 to 14, inclusive, of the Austin School Construction Program under PWA Docket Tex.2134-F were duly advertised to be received by the City Manager and publicly opened at 2:00 P. M., Thursday, December 22, 1938, in the City Hall in Austin, Texas; and

WHEREAS, at the same time and place, said bids were publicly opened and read aloud as specified; and

WHEREAS, the Supervising Architects representing the Board of Trustees of the Austin Independent School District have recommended to said Board of Trustees the lowest and best bid for each Unit submitted; and

WHEREAS, the Board of Trustees of the Austin Independent School District have, by Resolution dated December 22, 1938, recommended the award of certain Contracts to the City Council of the City of Austin, said Resolution being attached hereto and made a part hereof; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS:

THAT the Resolution recommending the award of Contracts for the various Units, as submitted by the Trustees of the Austin Independent School District, be, and the same is hereby, approved, subject to the approval of the Federal Emergency Administration of Public Works, and the City Manager, on behalf of the City of Austin acting for the Austin Independent School District, is hereby authorized and directed to execute all Contract Documents entered into by the Austin Independent School District with the various Contractors referred to in said attached Resolution of the Austin Independent School District, subject to the approval of said Contract Documents by the Federal Emergency Administration of Public Works.

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(Resolution of School Board attached to, and made a part of, foregoing resolution)

RESOLUTION OF THE BOARD OF
TRUSTEES, AUSTIN INDEPENDENT
SCHOOL DISTRICT.

WHEREAS, bids were received, publicly opened and read aloud at 2:00 P. M., December 22, 1938, as advertised, for the construction work of Units 7 to 14, inclusive, being a part of the School Construction Program under Docket Tex-2134-F; and

WHEREAS, Giesecke & Harris, Supervising Architects, have presented certified copies of the tabulation of those bids and a recommendation of award on each item upon which bids were received; and

WHEREAS, the report of the Supervising Architect reveals that all bids received were regular, with three (3) exceptions, the first being a bid from the Alamo Iron Works, presumably for Unit 12 - Fencing, which was found to be incomplete and irregular to such an extent that the same was not read; the second being the late arrival of a bid from David Vickers for certain mechanical work, which the Architect recommends being returned unopened, and which recommendation is hereby approved; and the third exception being the bid of Will O'Connell of San Angelo, Texas, on Base Bid No. 3 under Item 11, in the amount of \$8,000.00, for which item the next low bidder quoted \$16,520.00, and the second low bidder, \$21,719.00. The Supervising Architect reports that during the process of tabulating bids, Mr. C. W. Guthrie, representing Will O'Connell, approached the table and advised that an honest error of \$10,000.00 had been made in this bid, and asked the privilege of its withdrawal and of the withdrawal of his combination bid of \$21,500.00 for Bids 1 to 4, inclusive, under said Item 11 - which request, having been filed in writing at this meeting and discussed by Mr. Guthrie and having been allowed by the Board in a separate resolution, is hereby approved; and

WHEREAS, the low bid for each of the units upon which bids were asked (except Item 7 - Fulmore Junior School, and Item 8 - Baker Junior School), was approximately in line with the Budget estimate previously approved for said units;

NOW, THEREFORE, BE IT RESOLVED, THAT the recommendation of award and the acceptance and rejection of Alternates, all as listed under Items No. 1 to 9, inclusive, pages 3 and 4 of the Recommendation of the Supervising Architect, dated December 22, 1938, be accepted, and that the Board of Trustees of the Austin Independent School District do and does hereby recommend to the City Council of the City of Austin that said awards of contract be recommended to the Public Works Administration and, upon approval of PWA, be executed, including the award for the Foundation Work under Unit 11, Base Proposal No. 3 to Mr. Richard Schmidt, second low bidder, upon withdrawal of the low bid; with the further change that the award of contract (being No. 6 on Supervising Architect's Recommendation) for the Foundation Work under Unit 11, Bid No. 4, in the amount of \$2,874.00, for Foundation Work of the 10-Room and the 8-Room N.E. Austin Schools, be changed to One Thousand, Eight Hundred Eighty-four (\$1,884.00) Dollars for two (2) 8-Room Schools, this new bid price having been arrived at by doubling the amount stated in the bid as being the part of Bid No. 4 chargeable to the 8-Room School, this change being made as a part of the re-budgeting of the Construction Funds described below; and

WHEREAS, the Architect recommends with reference to Unit No. 7 - Fulmore Junior

School and Unit No. 8 - Baker Junior School, that construction award be made for Foundation and First-Floor Construction only, under Bond Proposal No. 2, unless the Construction Funds be rebudgeted so as to provide the necessary funds for the over-run of the low bid on each of those two projects, and further recommends that if such rebudgeting can be accomplished that the interest of the Owner will best be served by awarding the contract to the low bidder for the complete General Construction of each of those two units, accepting Alternates 1, 2 and 3, and rejecting Alternates 4 and 5 on each building; and

WHEREAS, after a careful and complete discussion of the entire program it has been found possible to reduce the scope of certain minor projects under this docket without seriously affecting the efficiency of the program, and provide the necessary funds to cover the over-run;

Now, Therefore, BE IT FURTHER RESOLVED, That the Alternative Recommendation of the Supervising Architect, listed as Item 2 under No. 10 at the bottom of page 4 of said report, recommending

(a) Award of contract for the Fulmore Junior School to H. B. Zachry Co., at its low base bid of \$111,900.00, less Alternates 1, 2, and 3, for a net contract price of \$109,000.00; and under

(b) on page 5 of report, recommending award of contract for the Baker Junior School to H. B. Zachry Co. at its low base bid of \$108,000.00, less Alternates 1, 2, and 3, for a net contract price of \$105,900.00,

is hereby approved and the Board of Trustees of the Austin Independent School District do, and does hereby, recommend to the City Council of the City of Austin that said awards of contract be recommended to the Public Works Administration and, upon approval by PWA, be fully executed.

C E R T I F I C A T E

I, Eleanor H. Wells, Member of the Board of Trustees and duly elected Secretary of said Board, hereby certify that the above Resolution was unanimously carried at a special meeting of the Board of Trustees, held at the office of the School Board at 8:00 P. M., December 22, 1938, at which the following were present:

Rudolph Mueller, Vice-Chairman
L. H. Blendermann, Chairman, Building Committee
Mrs. A. P. Robinson
Mrs. Eleanor H. Wells
Carl T. Widen; and
J. Harris Gardner, Members; and
A. N. McCallum, Superintendent of Public Schools.

(SEAL)

(Signed) Eleanor H. Wells
Secretary.

(Report of Supervising Architects on Tabulation of Bids,
attached to, and made a part of, foregoing resolution)

Austin, Texas
" December 22, 1938

Mr. E. A. Murchison, President,
Board of Trustees
Austin Independent School District
Austin, Texas.

Re: Tex-2134-F- (7-14, incl.)
SCHOOLS
AUSTIN, TEXAS

Dear Sir:

We wish to report that, as advertised, Bids were received up to 2:00 P. M. this the 22nd day of December, 1938, for the complete general construction of the following:

No. 7 - Fulmore Junior School;
No. 8 - Baker Junior School;
No. 9 - 6-Room Ridgeway School;
No. 10 - Shop Addition to Anderson High School

Bids were also received for the foundation construction only of the following:

No. 11 - Foundation work for:
(A) Austin High School;
(B) Addition to Becker School;
(C) 6-Room S. E. Austin School;
(D) Zevalla School;
(E) Kealing Addition;
(F) 12-Room N. E. Austin Colored School;
(G) Addition to Rosewood School;
(H) 10-Room N. W. Austin School;
(J) 8-Room N. W. Austin School.

Bid was also received for (No. 12) the construction of a Fence for the Physical Training Field for the Anderson High School.

Mechanical Bids were received for:

- No. 13 - 14-Room N. E. Austin Elementary School; and
- No. 14 - For the twelve (12) Boiler Houses.

At 2:00 P. M., it was announced that all bids were closed, and the meeting called to order, under the chairmanship of Mr. L. H. Blendermann, Chairman of the Building Committee, Austin Public Schools, in the absence of and on the authority of Mr. Guiton Morgan, City Manager, who was not able to stay for the Opening.

There were also present, Mr. T. N. Porter, of the School Board Office, Mr. A. W. Harris and the writer, representing the Board as Supervising Architects, Messrs. Kreisle & Brooks, Page & Southerland, Roy L. Thomas and Mr. Dan Driscoll, Associate Architects, and Mr. E. A. Huebner, Resident Engineer Inspector in charge of this Docket, representing the Public Works Administration.

All bids were found to have complied with the various requirements, with the following exceptions:

No. 1. A bid was received from the Alamo Iron Works, quoting on some fencing materials, presumably for the Anderson High School Physical Training Field. This bid was irregular in every way, not including the erection, not accompanied by Bid Security, not on proper form and, after having been opened and inspected by the writer and representative of PWA, was declared to be "No Bid," and was not read.

No. 2 After completion of all tabulations and after the Public in attendance at the meeting and all official delegates, except the writer and Mr. Huebner, had left the hall, Miss Kelleher, Secretary to the City Manager, entered the room and announced that a Special Delivery package, bearing the name of David Vickers, of Sweetwater, Texas, on which was typed "Mechanical Bid for 14-Room N. E. Austin Elementary School and Boiler House, and for 12 Boiler Houses," and postmarked, Sweetwater, Texas, at 6:00 P. M., December 21, 1938, was being delivered by a mail carrier. She requested advice as to whether to accept the same, it then being 3:42 P. M.

The writer requested Miss Kelleher to accept the envelope and deliver the same to Mr. Huebner. This envelope is transmitted herewith, unopened, and it is recommended that the same be returned to Mr. Vickers unopened.

The Bids listed above were publicly opened, read aloud, were tabulated and, after the meeting adjourned, the tabulations were "back checked" by the writer and Mr. Huebner. Two copies of the checked tabulations are attached hereto for the records of your Board.

From a study of these tabulations, it will be noted that with the exception of the General Proposal for Item No. 7 - Fulmore Junior School, and Item No. 8 - Baker Junior School, the low bid was in each case approximately in line with the Budget Estimate previously approved by your Board.

We wish to call your attention, however, to the three (3) bids received under Item 11, Base Bid No. 3, covering Foundation Work for the Zavalla, Kealing, 12-Room N. E. Austin Colored and Rosewood Addition, which were as follows:

Will O'Connell -	-	-	-	\$ 8,000.00
Richard Schmidt -	-	-	-	16,520.00
Yarbrough Construction Co. -	-	-	-	21,719.00

Before the completion of the tabulation, Mr. C. W. Guthrie, representing Will O'Connell, of San Angelo, approached the table and advised Mr. L. H. Blendermann that he had just found that an honest error had been made in adding figures for this Bid, and requested the privilege of withdrawing the same. Mr. Guthrie was advised that his statement should be made in writing, addressed to the Board. This has been done, and the same is attached to this report, for such action as the Board may deem proper.

We feel that Mr. O'Connell did make a mistake in compiling his Bid, and that such a mistake could very easily have been made in the rush of bidding which is taking place at this time; and recommend to the Board that his request be given favorable consideration.

We hereby recommend the following action, as being in the best interests of the construction program, under the conditions which now prevail, particularly in view of the requirement that all work be under actual construction before January 1, 1939, in order that no part of the PWA Grant may be jeopardized,

- No. 1 - We recommend award of contract for the general construction of the Ridgely School to Mr. William Kutalek, General Contractor, of Austin, Texas, at his Low Base Bid of \$29,092.00, and that Alternate No. 1, deducting \$260.00, for a change to common brick, be rejected.
- No. 2 - We recommend award of the General Construction of the Shop Addition to the Anderson High School to Mr. Will O'Connell of San Angelo, Texas, at his low base bid of \$10,900.00, and that Alternate No. 1, deducting \$40.00 for the omission of certain Painting, be rejected.
- No. 3 - We recommend the award for Foundation Work of the Addition to the Austin High School, under Item 11, Bid No. 1, to Richard Schmidt, of Austin, Texas, at his low base bid of \$3,993.00.
- No. 4 - We recommend award of Foundation Work for the Becker School and S.E. Austin Elementary School to Mr. Edward T. Lorey of Austin, Texas, at his low base bid of \$3,144.00.
- No. 5 - If the Board accedes to the request of Mr. Will O'Connell for the withdrawal of his low bid No. 3 for the Foundation Work of the Zavalla, Kealing, 12-Room N. E. Austin, and Rosewood Units, we

recommend award to the next low bidder, Mr. Richard Schmidt, at his Base Proposal of \$16,520.00 for the Foundation Work for these four (4) Units.

No. 6 -We recommend award of contract to Mr. Edward T. Lorey, at his low Base Bid of \$2,874.00 for the Foundation Work of the 10-Room and the 8-Room N. E. Austin Schools.

No. 7 -We recommend award of contract for the fencing for the Anderson High School Physical Training Field to the Cyclone Fence Company at its low bid of \$2,611.90.

No. 8 -Under Item No. 13, we recommend the following contracts for the branches of the Mechanical Work for the 14-Room N. E. Austin Elementary School and Boiler House:

(A) On Plumbing, to John L. Martin, at his low base bid of \$6,150.00.

(B) For Heating, to John L. Martin, at his low Base Bid of \$10,775.00.

(C) For Electric Work, to the Curtis Electric Company, at its low base bid of \$6,248.00.

No. 9 -For the Mechanical Installation of the twelve (12) Boiler Houses, being Item No. 14, we recommend award of contract to Spiller-Miller, at their low bid of \$39,047.00.

No.10 -With reference to the proposals for the general construction of the Fulmore and the Baker Junior Schools, each of which exceeded materially the funds set up in the Budget for those phases of the School Construction Program, the following recommendation of awards is made:

Based on the present Budget setup of PWA Form 168, we recommend:

(1) Award of Contracts for Foundations, Stub Columns, Grade Beams and First Floor Structural Concrete Slabs only, as bid on under "Base Proposal No. 2" of each of those jobs, to the low base bidder of each job as follows:

(A) Fulmore Junior School (Item No. 7) to Will O'Connell of San Angelo, Texas, at his low base bid of \$14,000.00.

(B) Baker Junior School (Item No. 8) to O. K. Johnson of Waco, Texas, at his low base bid of \$11,000.00.

It is believed that after the rush of the present bidding is over that it will be possible to secure better competition, and that some slight changes can be made in the finish of these buildings, both of which will tend to bring the cost more nearly in line with the Budget now established. The cost advantage, however, will offset to a large extent by several disadvantages, the principal one of which would be the fact that later it would never be possible to definitely establish responsibility for construction troubles since one contractor would have built the sub-structure and another, the super-structure.

(2) Should it be possible to re-budget the funds set up, the best advantage of the Owner would be served by awarding contract for the complete general construction as follows:

(a) For the Fulmore Junior School (Item No. 7) to H. B. Zachry Company of Laredo, Texas, at its low bid of \$111,900.00, accepting Alternates No. 1, changing from concrete joists to steel joists at a deduction of \$300; Alternate No. 2, changing certain acoustical treatment to fibre board, at a deduction of \$2,100.00; and Alternate No. 3, omitting stage skylight at a deduction of \$500.00, and recommend rejection of Alternates 4 and 5, making a net total contract price of \$109,000.00.

(b) On the Baker Junior School (Unit No. 8) to H.B.Zachry Company of Laredo, Texas, at its low bid of \$108,800.00, accepting Alternate No. 1, changing from concrete to steel joists, at a deduction of \$300.00; Alternate No. 2, changing acoustical treatment to fibre board in certain areas at a deduction of \$2,100.00; and Alternate No. 3, omitting stage ventilators at a deduction of \$500.00, and recommend rejection of Alternates Nos. 4 and 5, for a net bid of \$105,900.00.

The Board is familiar with the fact that under the present regulations of the Federal Government, it is absolutely required that each building of this Program be under actual construction before January 1, 1939, in order that no part of the Grant may be lost. With this fact in mind, and the further fact that some time may be lost due to rainy weather during the coming week, it is very seriously recommended that

action be taken by the Board at this meeting, looking toward the award of some part of each of the above items.

Yours very truly,

GIESECKE & HARRIS
Supervising Architects

By (Signed) Bertram E. Giesecke. "

The following resolution was introduced:

WHEREAS, City of Austin taxes were assessed against Lots 17 and 18, Block 5, Glenridge, Plat 73, in the City of Austin, Texas, for the years 1919 through 1937, inclusive, said taxes aggregating \$117.38, penalty for non-payment of same at maturity, \$5.86, aggregate interest thereon, \$63.55, making the total amount due, taxes, penalty, and interest, \$186.79; and court costs in suit No. 58227, \$2.00, making the aggregating amount due, taxes, penalty, interest, and court costs, \$188.79; and

WHEREAS, the City Council, under the circumstances, has deemed it advisable to remit the penalty in the sum of \$5.86 and 1/3 the interest in the sum of \$21.18, total, \$27.04, conditioned on the prompt payment of said taxes, 2/3 of the interest thereon, and court costs, aggregating \$161.75; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the aforesaid penalty in the sum of \$5.86, and 1/2 of the interest in the sum of \$21.18, is hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty and 1/3 of the interest on said taxes off his rolls, and to issue to the party entitled to receive same a receipt in full, on the payment of said taxes, interest and court costs, in the sum of \$161.75; as aforesaid.

The foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Upon motion, seconded and carried, the meeting was then recessed to 3:00 P. M., Tuesday, December 27, 1938.

Approved

Tom Miller
Mayor

Attest:

Hallie McLean
City Clerk

RECESSED MEETING OF THE CITY COUNCIL:

Austin, Texas, December 27, 1938 .

The City Council convened in a recessed session of its regular meeting of December 22, on Tuesday, December 27, 1938, at 3:00 P. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen Chas. F. Alford, C. M. Bartholomew, Simon Gillis, and Councilman Oswald G. Wolf; absent, none.

The following tabulation of bids by the Engineer was received:

"Austin, Texas
December 27, 1938

Mr. Guiton Morgan
City Manager
Austin, Texas

Re: PWA Docket Texas-2072-F-4
29th Street Bridge
Austin, Texas

Dear Sir:

The bids received at 10:00 A. M., this morning have been tabulated and the totals are as follows:

Yarbrough Construction Company -	\$48,983.44
J. C. Gilstrap	51,486.40
Mitchell Darby	52,022.00
J. F. Johnson	53,458.25
R. H. Folmar	54,432.50
M. E. Ruby	54,726.80
Brown & Root, Inc.	58,808.50
Rex D. Kitchens	59,033.40
J. M. Odom	60,076.60

I recommend that the contract be awarded to the low bidder, Yarbrough Construction Company, for \$48,983.44.

Yours very truly,

(Signed) J. E. Motheral
City Engineer.

Councilman Alford then offered the following resolution and moved its adoption . The motion was seconded by Councilman Gillis. The motion was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The resolution is as follows:

WHEREAS, in accordance with the requirements of the Federal Emergency Administration of Public Works, and the provisions of the City Charter of the City of Austin, Texas, proposal for bids for the construction work under PWA Docket No. Texas-2072-F-4 was duly advertised to be received by the City Manager and publicly opened at ten o'clock A. M., Tuesday, December 27, 1938, at the City Hall in Austin, Texas; and

WHEREAS, at said time and place bids were publicly opened and read as specified; and

WHEREAS, thereupon it was found that the bid of Yarbrough Construction Company of Austin, Texas, in the amount of \$48,983.44, for the construction of a bridge over Shoal Creek at 29th Street, being PWA Docket No. Texas-2072-F-4, was the lowest and best bid under said project, and that said bid was regular and proper in all particulars; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS:

THAT said bid of Yarbrough Construction Company of Austin, Texas, in the amount of \$48,983.44, for the construction of a bridge over Shoal Creek at 29th Street, be,

and the same is hereby, accepted, subject to the approval of the Federal Emergency Administration of Public Works; and the City Manager in behalf of the City of Austin is authorized and instructed to enter into a contract with the said Yarbrough Construction Company, subject to the approval of the Federal Emergency Administration of Public Works.

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Upon motion, seconded and carried, the meeting was recessed to 11:00 A. M., Friday, December 30, 1938.

Approved: Tom Miller
Mayor

Attest:

Hallie McLean
City Clerk

RECESSED MEETING OF THE CITY COUNCIL:

Austin, Texas, December 30, 1938.

The City Council convened in a recessed session of its regular meeting on Friday, December 30, 1938, at the regular meeting place at the City Hall, with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen Chas. F. Alford, C. M. Bartholomew, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf; absent, none.

Councilman Bartholomew introduced the following resolution and moved its adoption. The motion was seconded by Councilman Alford. The motion was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The resolution is as follows:

WHEREAS, in accordance with the requirements of the Federal Emergency Administration of Public Works, the Board of Trustees of the Austin Independent School District has advertised for and received bids covering the construction of Units 15 to 19, inclusive, of the Austin School Construction Program, under PWA Docket Tex-2134-F; and

WHEREAS, the City Council is in receipt of a resolution, properly passed and adopted by the said Board of Trustees on December 29, 1938, in which resolution said Board recommends award of contract to the low bidder, L. L. McCandless, of Austin, Travis County, Texas, for the following contracts:

- No. 1 - For the construction of the Music Building; the H.S. Boiler House, including Tunnel Extension, Concrete Stack and Concrete Oil Tank; the Concrete Stairway; and the two

Public Toilet Buildings; (all alternates having been rejected) at his Base Proposal No. 1 in the amount of \$36,890.00.

No. 2- For the construction of a Boiler House for the John T. Allen, Jr., High School at his Base Proposal No. 2 in the amount of \$3,738.00; and

WHEREAS, the City Council has reviewed the tabulation of bids and finds that all bids were regular, that the procedure of tabulating the bids was regular, and that the said L. L. McCandless was the low bidder on each bid; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the recommendation of the Board of Trustees of the Austin Independent School District be, and the same is hereby, approved, and the City Manager is hereby authorized and directed to execute all necessary documents, subject to the approval of the Public Works Administration.

(Resolution of School Board attached to foregoing resolution)

RESOLUTION OF BOARD OF TRUSTEES OF AUSTIN INDEPENDENT SCHOOL DISTRICT

WHEREAS, bids were received publicly, opened and read aloud at the office of the City Manager at 2:00 P. M., December 29, 1938, all according to required advertisement, on the following units of PWA Docket Tex-2134-F:

- No. 15 - Music Building
- No. 16 - H. S. Boiler House
- No. 17 - Concrete Stairway
- No. 18 - Public Toilets
- No. 19 - Jno. T. Allen, Jr., H.S. Boiler House; and

WHEREAS, the total of the low bids, as quoted by L. L. McCandless, of Austin, Travis County, Texas, exceeds slightly the funds shown in the advertisement for this group, but for which expected excess allowance had been made in the rebudgeting of funds, as approved by the Board on December 22, 1938, and there is now budgeted sufficient funds for this group at the low bid; and

WHEREAS, the office of the Supervising Architect has recommended to the Board of Trustees that contracts be awarded to L. L. McCandless, as follows:

No. 1 - For the work included under Base Proposal No. 1 of the bids of December 29, 1938; namely:

The General Construction of

- (A) A Music Building;
- (B) Senior H.S. Boiler House, including Concrete Stack, Extension of Heating Tunnel and Concrete Oil Tank;
- (C) Concrete Stairway; and for the General and Mechanical Construction of
- (D) Two (2) Public Toilet Buildings - all for the sum of \$36,890.00; and that all alternates under Base Bid No. 1 be rejected; and

No. 2 - For the General Construction of

A Boiler House for the John T. Allen, Jr., High School, at his low Base Proposal of \$3,738.00; and

WHEREAS, the Board of Trustees in this Special Meeting have fully discussed the recommendation of the Supervising Architect and concur in the same; now, therefore,

BE IT RESOLVED that awards of contract to L. L. McCandless, as above described, be recommended to the City Council of the City of Austin.

C E R T I F I C A T E

I, Eleanor H. Wells, Member of the Board of Trustees and duly elected Secretary of said Board, hereby certify that the above Resolution was unanimously carried at a Special Meeting of the Board of Trustees, held at the office of the School Board at 5:00 P. M., December 29, 1938, at which the following were present:

E. A. Murchison -	Carl T. Widen
J. Morris Gardner -	Mrs. A. P. Robinson
R. G. Mueller	L. H. Blendenman

(Signed) Eleanor H. Wells
Secretary.

(Report of Architect attached to foregoing resolution as follows)

"December 29, 1938.

Mr. E. A. Murchison, President
Board of Trustees
Austin Independent School District
Austin, Texas

Dear Sir:

Re: Docket Tex-2134-F (15-19, incl.)
SCHOOLS
AUSTIN, TEXAS

As advertised, bids were received, publicly opened, read aloud and tabulated at 2:00 P. M., this afternoon, December 29, 1938, at the office of the City Manager, for the construction of the following units of your present School Program:

Base Proposal No. 1: For the construction of:
A Music Building;
A H.S. Boiler House, including Extension of
Heating Tunnel; Concrete Chimney; and
Concrete Oil Storage Tank;
A Concrete Stairway; and
Two (2) Public Toilet Buildings - and under

Base Proposal No. 2: For the construction of:
A Boiler House for the John T. Allen, Jr.,
High School Building.

Attached hereto are two copies of the Tabulation of Bids, as received.

In the absence, but on authority, of Mr. Guiton Morgan, City Manager, Mr. L. H. Blen-dermann, Chairman of the Building Committee of the Board of Trustees, acted as Chairman of the meeting. There were also present Mr. T. N. Porter, of the School Board Office, Mr. A. W. Harris and the writer, Supervising Architects, representing the School Board, and Mr. E. A. Huebner, Resident Engineer Inspector of PWA, in charge of this docket.

All bids were found to be regular in every way and no protest of any nature was offered.

In the advertisement for bids, the sum of \$35,000.00 was shown as being available for this construction. At your last meeting, the probable increase in cost of this group of bids was taken into consideration (based on bids which had been received up to this date) and allowance made for this in the rebudgeting approved by the Board on December 22, 1938, at which time a contingency item of approximately \$36,000.00 was established in the budget.

It is our recommendation that the contract for both groups be awarded to Mr. L. L. McCandless at his low Base Proposal as follows:

Base Bid No. 1, for the construction of the Music Building, the H.S. Boiler House, including Tunnel Extension, Concrete Stack and Oil Tank, the Concrete Stairway and the two Public Toilet Buildings, of -----\$36,890.00 rejecting all alternates.

Base Proposal No. 2, for the construction of a Boiler House for the John T. Allen, Jr., High School, at low bid of -----\$ 3,738.00

If the above recommendations are accepted, the total contract will amount to \$40,628.00.

Respectfully submitted,

GIESECKE & HARRIS
SUPERVISING ARCHITECTS

By (Signed) B. E. Giesecke. "

Councilman Alford introduced the following resolution and moved its adoption. The motion was seconded by Councilman Gillis. The motion was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The resolution is as follows:

WHEREAS, the Board of Trustees of the Austin Independent School District has, by resolution, recommended to the City Council of the City of Austin, acceptance of an assignment by Richard Schmidt of his contract in the amount of \$20,513.00 to the Rex D. Kitchens Construction Company, both of Austin, Travis County, Texas; and

WHEREAS, said assignment has been duly executed by both the assignor and assignee, and has been accepted and approved by the American Bonding Company of Baltimore, Maryland, Surety; and

WHEREAS, both the Supervising Architects' Office and the Board of Trustees recommend this acceptance as being in the interest of the Construction Program; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT said assignment be, and it is hereby, approved and accepted, and the City Manager is hereby authorized and directed to approve said assignment papers and forward same to the Public Works Administration for approval.

(Resolution of School Board
attached to foregoing
resolution)

RESOLUTION OF THE BOARD OF TRUSTEES, AUSTIN
INDEPENDENT SCHOOL DISTRICT.

WHEREAS, the Supervising Architects' Office has this date furnished the Board of Trustees of the Austin Independent School District an executed copy of an assignment of the contract of Richard Schmidt, which contract covered the Excavation and Foundation Work for Bid No. 1 under Unit 11, and Bid No. 3 of Unit 11, being the Excavation and Foundation Work, respectively, for the Addition to the Austin Senior High School (Bid of \$3993.00) and that for the Additions to the Zavala, Kenling, and the Rosewood Schools, and for the new 12-Room N.E. Austin Elementary School (Bid of \$16,520.00) for a total contract price of \$20,513.00, to the Rex D. Kitchens Construction Company; and

WHEREAS, said assignment has been made and executed by the said Richard Schmidt and accepted and executed by the Rex D. Kitchens Construction Company, by Rex D. Kitchens, Manager; and

WHEREAS, said assignment has been accepted by the American Bonding Company of Baltimore, Maryland, Surety for the Richard Schmidt contract thereby assigned; and

WHEREAS, the Supervising Architects' Office recommends acceptance of this assignment as being in the interest of the Construction Program; now, therefore,

BE IT RESOLVED: That the Board of Trustees of the Austin Independent School District do, and hereby does, recommend to the City Council of the City of Austin, acceptance and approval of said assignment, subject to the approval of the Public Works Administration.

C E R T I F I C A T E

I, Eleanor H. Wells, Member of the Board of Trustees and duly elected Secretary of said Board, hereby certify that the above resolution was unanimously carried at a special meeting of the Board of Trustees, held at the office of the School Board at 5:00 P. M., December 29, 1938, at which the following were present:

E. A. Murchison -
J. Harris Gardner
R. G. Mueller

Carl T. Widen
Mrs. A. P. Robinson
L. H. Blenderman

(Signed) Eleanor H. Wells
Secretary.

Councilman Gillis introduced the following resolution and moved its adoption. The motion was seconded by Councilman Alford. The motion was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The resolution is as follows:

WHEREAS, in accordance with the requirements of the Federal Emergency Administration of Public Works, the Board of Trustees of the Austin Independent School District has been advised that a change in the form of recommendation and contract for the award of the Excavation and Foundation Work for the two N. W. Austin Elementary Schools, under Base Bid No. 4, Unit 11, of the bids received on December 22, 1938, was necessary; and

WHEREAS, the Board of Trustees of the Austin Independent School District has, by resolution, requested the City Council of the City of Austin to recommend the change required by the Regional Office of Public Works Administration, namely, that award of contract for that work be made to Edward T. Lorey at his low Base Bid of \$2,874.00; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the resolution recommending the award of contract, as above referred to and as submitted by the Trustees of the Austin Independent School District, be, and the same is hereby, approved, subject to the approval of the Federal Emergency Administration of Public Works, and the City Manager, on behalf of the City of Austin, acting for the Austin Independent School District, is hereby authorized and directed to execute the contract documents entered into by the Austin Independent School District, as may be necessary for said contract, subject to the approval of said contract documents by the Federal Emergency Administration of Public Works.

(Resolution of School Board
attached to foregoing
resolution)

RESOLUTION OF THE BOARD OF TRUSTEES,
AUSTIN INDEPENDENT SCHOOL DISTRICT

WHEREAS, the Regional Office of PWA has advised that the procedure recommended in arriving at the contract sum for Bid No. 4 under Item 11, Foundation Construction for the two (2) N.W. Austin Schools, was not in line with PWA procedure; and

WHEREAS, the Supervising Architects' Office was advised that the proper solution of the award of contract of those two Foundations (with the change from a 10-Room and Auditorium School to an 8-Room School on the Bryant site) would call for an award of contract to Edward T. Lorey at his low Base Proposal of \$2,874.00, and making the adjustment in cost for the change by a properly executed change order after construction is begun; and

WHEREAS, That procedure is satisfactory to the Board; now, therefore,

BE IT RESOLVED: THAT the Board of Trustees of the Austin Independent School District hereby rescinds that portion of its resolution of December 22, 1938, in which award of contract is recommended to Edward T. Lorey for the excavation and foundation work of the two N.W. Austin Schools, at a price of \$1,884.00; and

BE IT FURTHER RESOLVED: THAT the Board of Trustees hereby recommend to the City Council of the City of Austin approval of such rescission and recommendation of award of contract to Edward T. Lorey of the Excavation and Foundation Work for the two N.W. Austin Elementary Schools at his Base Proposal of \$2,874.00 under his bid No. 4 of Unit 11.

C E R T I F I C A T E

I, Eleanor H. Wells, Member of the Board of Trustees and duly elected Secretary of said Board, hereby certify that the above resolution was unanimously carried at a special meeting of the Board of Trustees, held at the office of the School Board at 5:00 P. M., December 29, 1938, at which the following were present:

E. A. Murchison -	Carl T. Widen
J. Harris Gardner	Mrs. A. P. Robinson
R. G. Mueller	L. H. Blendermann

(Signed) Eleanor H. Wells
Secretary.

Upon motion, seconded and carried, the meeting was recessed, subject to call of the Mayor.

Approved

Tom Miller
Mayor

Attest:

Walter McLean
City Clerk