ORDINANCE NO. 65-14

AN ORDINANCE AUTHORIZING THE CONSTRUCTION AND ACQUISITION OF A SOUTHWEST INTERCEPTOR SEWER AND LIFT STATION AND PROVIDING FOR FINANCING OF THE COST THEREOF

WHEREAS, on November 14, 1964, the City of Bloomington, Indiana (the City), by its Board of Public Works, entered into a contract with Ralph Rogers & Company, Inc. (Rogers) for the construction of a southwest interceptor sewer and lift station for the City, in accordance with plans and specifications prepared and filed by Ray E. Long, City Engineer; and

WHEREAS, on March 18, 1965, the City's Common Council duly adopted Ordinance No. 65-7, which provided for the construction and acquisition of said southwest interceptor sewer and lift station, and approved and ratified the action of the Board of Public Works previously taken in connection therewith, including the execution of said contract; and

WHEREAS, certain questions have arisen concerning the sufficiency of such contract and ordinance to accomplish the purpose thereof; and

WHEREAS, the City desires to resolve such questions; and

WHEREAS, the City by its Board of Public Works has this day entered into a new contract with Rogers,

NOW, THEREFORE, BE IT ORDAINED by the City's Common Council that:

Section 1. The City shall proceed with the construction and acquisition of said southwest interceptor sewer and lift station in accordance with said plans and specifications heretofore prepared and filed by Ray E. Long, City Engineer, and pursuant to Acts 1932 (Spec. Sess.) Ch. 61, as amended, Section 48-4301 et seq. Burns Ind. Stat.

Section 2. The City shall accept and proceed with said project based upon the estimates of said Engineer in the amount of $700,000, which is $102,270 (disregarding any price adjustment) more than the lowest competitive bid (that of Rogers) heretofore received by said City.

Section 3. All action previously taken by the City's Board of Public Works in connection with such construction and acquisition, including the execution of the contract dated this date, is hereby in all things approved, ratified and confirmed.

Section 4. The rates applicable for the several classes of users of property to be served by the sewage works of the City, including said interceptor sewer and lift station, are estimated to be those already established by the City and presently in effect, but such rates shall be subject to such adjustment as may be appropriate upon the basis of over-all improvements determined to be made to the City's existing sewage works, upon completion of the current study by Black and Veatch, the City's consulting engineers.

Section 5. As soon as practicable after such determination, the City shall issue revenue bonds in such an amount as may be required for making such over-all improvements, including, but not limited to, bonds in the amount of $635,000, the approximate cost (after a price adjustment due to excess rock excavation) of construction by Rogers of said southwest interceptor sewer and lift station. Said sum is hereby appropriated for such purpose, to be paid solely from funds provided under the authority of said Act.

Section 6. The City shall pay, and the Clerk-Treasurer is hereby directed to pay, out of the revenues of the City's sewage works deposited and to be deposited in the Sewage Works Improvement Fund heretofore established pursuant to Ordinance No. 15 of 1955 to Rogers interest at the rate of 2.64% per annum on the total cost of construction of said southwest interceptor

sewer and lift station from the respective payments dates specified in said contract until actual payment.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Indiana, on the 3rd day of June, 1965.

John H. Hooker, Jr.
Mayor, City of Bloomington, Indiana

Attest:

Howard A. Young
City Clerk-Treasurer

Presented by me to the Mayor of the City of Bloomington, Indiana, on the 4th day of June, 1965, at the hour of 9 o'clock A.M.

Howard A. Young
Clerk-Treasurer

This Ordinance approved and signed by me on the 4th day of June, 1965, at the hour of 9 o'clock A.M.

John H. Hooker, Jr.
Mayor

Attest:

Howard A. Young
Clerk-Treasurer