

REPORT OF THE WATER COMMITTEE TO THE COMMON COUNCIL.

The Water Committee, to whom was referred the Report of the Water Commissioners, and also the Report of the Engineer, made to them in answer to a report of your Committee, bearing date August 4, 1851.

That they have had these documents under consideration, and before proceeding to reply to the matters therein contained, they deem it due to themselves and the Board to state some of the facts connected with the subject under examination.

Prior to the execution of the contract for the excavation of the water trenches, the Commissioners had informed your chairman that the contract had been awarded, and that the terms of the successful bidder were some \$15,000 less than any other proposal, and the same information was imparted by them to other citizens.

Subsequently the contract being duly executed, was sent to your Committee to present to the Board for confirmation, and to be taken up at the next meeting of the Board, for that purpose.

The confirmation of the contract was opposed by some of the members of the Board on the ground, that the contractor was a non-resident, and that, as a necessary consequence, he would not give employment to our own citizens.

In reply, your committee stated that previous had been made to the Board for the employment of our citizens in preference to those of other places; but the great and controlling argument then used, was the reported saving to the city of \$15,000.

At that time your committee fully believed that the statements made were literally true, or that they would have urged the ratification of the contract.

On the 24th of June the petition of A. McQuade and others was presented to the Board, complaining that the contract had not been awarded to the lowest bidder. These petitioners stated that they had been deeply wronged in the award, and that just in proportion to the extra price paid for the work, above their proposals, would the water debt be increased, preferred this complaint.

Among the signers to this petition were many of our citizens, and they were generally of the same rank and know well its value. This petition was referred to your committee.

On the 4th of August, your committee, after due deliberation and investigation, submitted a report containing evidence, which, although decided in a general way, has not been disproved; showing conclusively that the contract in question had not been awarded to the lowest bidder. The evidence then presented was as follows:

1st. The advertisement of the Commissioners soliciting proposals for the performance of the work. In this document are also contained the manner of proceeding, and it also contains these words: "The prices must be made in strict conformity with the printed forms which will be furnished."

2d. The specifications of the Engineer, describing minutely the form and manner of performing the work.

3d. The advertisement of the Commissioners soliciting proposals for the furnishing of the water pipe.

4th. A table showing the actual quantity of excavation required by the specifications for each size of pipe to be placed, and also the quantity of pipe to be placed.

5th. A table containing the names of seven of the persons or firms who had proposed for the work, the cost per mile for paving, for excavating and refilling the trenches, and the total cost for both items, comparing the work to be performed by the specifications of the specifications and at the prices specified by the several contractors who had made bids.

6th. A table showing the estimated quantities of sandy materials, and labor deemed necessary by the Engineer in the performance of the work.

7th. A table showing the cost per mile of the materials and labor thus enumerated, and at the prices named by the same contractors.

8th. A table showing the cost per mile for the materials and labor, including the Engineer's estimated quantities of materials and labor as proposed for, in the form and manner required by the specifications, by the seven contractors therein named, and also the price paid to the present contractor. This person is now enjoying the benefits resulting from a large and remunerating contract, without his having made a proposal for performing the same.

9th. A table showing the positive evidence that your committee arrived at the conclusion that the contract had not been awarded to the lowest bidder, and that the terms of the present contract were not favorable for the interests of the city; and in replying to the documents now under consideration, they intend to refer to several matters contained in this evidence and in their preceding report.

In referring to the report of the Water Commissioners, it will be seen that they state "that on the 27th of May last they opened the proposals, and the Chief Engineer was requested to make the calculations as to the cost of the different proposals, and to report the result the next day." The Commissioners again say "that next morning Mr. McAlpine reported that Mr. Wheeler's proposal was very much lower than any of the others except Roberts and Colwell's." This must have been the time when the \$15,000 saving was represented before the Board by the awarding of the contract to Mr. Wheeler, for the Commissioners say: "After some considerable discussion on the subject, of giving the contract to a person who was not a resident of the city, Mr. McAlpine moved to review the calculations made by the Chief Engineer, and to make a more particular examination thereof, and to report the result when completed."

His second report was made on the 24th of June, and the Commissioners, in speaking of this report, say: "Mr. McAlpine made a further report on the subject, and then informed the Commissioners that after the particular examination of the contract, he was confident that the saving of Mr. Wheeler's proposal was the lowest by between \$9,000 and \$10,000, except Roberts and Colwell's."

In the report of the Engineer to the Commissioners, bearing date August 10, he says: "It is wholly untrue that by my report of nine, verbal or written, a reported saving of \$15,000 had been alleged by the present contractor over the bid of Roberts and Colwell, or that my report of nine contains any such statement in the case of James Brown."

There is no disputing the fact, that the Commissioners, shortly after the proposals were opened, stated that the offer of Wheeler was \$15,000 lower than any other proposal, and as the Engineer was requested to make the calculations, and did make his reports, from what other source did the Commissioners receive their information relating to the reported saving?

The Engineer also says: "The chairman of the committee had in his possession, and quotes from my report, the aggregate amount of these three bids, showing that my estimates were the offer of Roberts & Colwell \$10,000 less than the offer of Tracy, and the offer of Brown \$4,121 1/2 higher than the offer of Tracy." This is all literally true, and yet without admitting the fact, that the contract was awarded to the lowest bidder, why it is alleged, words by an Engineer should contain one set of figures, and a report made by the same person show an entirely different result. In the estimate the Engineer makes the offer of Brown \$4,121 1/2 higher than the offer of Tracy, and yet when he made his report to the Commissioners, he compiled from the same estimate, he says "Colwell's bid, \$10,000 less than the offer of Tracy, and the offer of Roberts & Colwell's."

In making his estimate the Engineer assumes that in excavating, &c. the trenches, the following work and materials will be required, viz:—177,100 cubic yards of excavation and refilling, 50,000 square yards of paving, 15,000 cubic yards of sand, 2,000 cubic yards of masonry, 1,000 cubic yards of masonry.

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