

State of Minnesota,
County of Olmsted, ss.
City of Rochester.

I, C. D. Brown, Mayor and Chief Executive Officer,
of the City of Rochester, in the County of Olmsted, and State of
Minnesota, do hereby certify that the Board of Freeholders in and for
the said City of Rochester, heretofore appointed by Honorable C. E.
Callaghan, Judge of the Third Judicial District, in the State of Minn-
esota, pursuant to laws in such case made and provided, did, on Sept-
ember 13, 1921, deliver to me as Chief Executive Officer of said City
the three proposed amendments to the Charter of said City, which are
hereinafter set forth, and that thereafter on October 18, 1921, each of
the said amendments were duly adopted and ratified by the qualified
voters of said City, said amendments being as follows:

" AMENDMENT No. 1.

Amend Sections, 225, 229, 277, 278 and 281 so as to read
respectively as follows:

Section 225. Whenever said Common Council shall vote to
cause a sewer or other local improvement to be made, it shall deter-
mine and designate in a general way, so nearly as may be practicable,
the character and extent of such improvement and the material or mater-
ials which it shall desire to consider for use therein, and it shall
thereupon be the duty of the City Engineer, or any other competent
engineer designated by the Common Council, to prepare an estimate of
the cost of such improvement; and if the Common Council shall desire
to consider the use of different materials therein, he shall make a
separate estimate of such cost with the use of each kind of material
designated by the Common Council. Upon the reception of such report,
the Common Council may postpone action thereon to any regular or
special meeting thereof, and may direct the City Clerk in the meantime
to advertise for and receive bids for doing the work and furnishing
the material, or either, required to construct or complete such im-

provement; if the Common Council shall desire to consider the use of different materials therein, he shall advertise for separate bids for each kind of material and shall report all of such bids to the Common Council or the Common Council may in any other manner obtain information respecting the probable cost of such improvement.

Section 229. If the Common Council shall determine to make such improvement, it shall let the contract, or make such improvement, in the manner required by Chapter XV of this charter.

Section 277. Before advertising for bids, the Common Council, or Board, shall cause to be prepared by the proper department or officer of the City, and filed with the Clerk, detailed plans and specifications for the proposed contract for commodities and service and if the Common Council, or Board, shall desire to consider different methods or different commodities, it shall cause to be prepared separate estimates for each method or each variety of commodity which it desires to consider.

Section 278. After filing the same, the Common Council shall direct the City Clerk, or, if the matter is in the hands of a Board, such Board shall direct its Clerk or Secretary to advertise for bids for doing or furnishing said commodities or service in accordance with such contract, plans or specifications and, if there be specifications for different methods or different commodities, or both, he shall advertise for bids for doing or furnishing said commodities or service in each of said respective ways. Such advertisement shall be published in the official paper, once at least one week before the letting of the contract and in such other manner as the Common Council, or such Board, may direct.

All advertisements for bids shall clearly state that such bids are to be received and opened at a public meeting of the Common Council in the Council Chambers, or of such Board at its usual meeting place, upon a certain day and hour.

Section 281. The Common Council or Board shall act upon such bids and determine which one shall be accepted. All contracts shall be

awarded to the lowest reliable and responsible bidder complying with the foregoing requirements, provided, that the Common Council, or Board, may reject any bids which it may deem unreasonable or unreliable, and the Common Council or Board, in determining the reliability of a bid, shall consider the question of the responsibility of the bidder and his ability to perform his contract, without any reference to the responsibility of the sureties upon his bond, and any person who shall have defaulted in any contract awarded by the City, except as to time, or who within ten years prior to said bidding shall have refused to enter into a contract after the same shall have been awarded to him, shall not be considered a reliable and responsible bidder.

The Common Council or Board may reject any or all bids and abandon the proposed contract, or it may require the Clerk or Secretary to re-advertise for new bids in the manner hereinbefore provided and the Common Council or Board may again reject all bids. After receiving a bid, or bids, or after having advertised and not having received any bid, the Common Council, or Board may either abandon the proposed contract or cause the proper department of the City to procure the necessary commodities, implements, machinery, labor and service and carry out the proposed improvement, work or other purpose.

All contracts shall be executed by the bidder within ten days after the contract is ready for his signature, and if not executed by him in said time, he shall be deemed to have abandoned the same.

AMENDMENT No. 2.

Add to Chapter XIV, the following Section to be known as Section 274-A, which shall read as follows:

In all City work whether let by contract or done by the City, preference as to labor employed, must be given to bona fide residents of the City if they can be procured.

AMENDMENT No. 4.

Amend Sections 156, 275, and 276, so as to read respect-

ively as follows:

Section 156. All supplies for the lighting plant shall be contracted for and purchased by said Board in the name of the City; but every appropriation for the amount of Five hundred Dollars (\$500) or more to be paid to any one person, firm or corporation, and the letting of any job or work, or the authorizing of any contract or purchase involving the expenditure from the City Treasury of five hundred Dollars (\$500) or more, and the fixing of any officer's salary or employe's wages at the aggregate sum of five hundred Dollars (\$500) or more a year, and every provision for the sale of any real or personal estate pertaining to said plant, of the value of five hundred Dollars (\$500) or more, and every determination to make any improvement pertaining to the business of said City Electric Light Plant, shall first be authorized by a resolution duly passed by the Mayor and Common Council, before the said Public Utility Board, shall have any right or authority to act thereon. Any contract to be let by such Board involving an expenditure exceeding Five hundred Dollars (\$500) shall be let to the lowest responsible bidder, after having given at least one week's notice in the official paper.

Section 275. All contracts for commodities or service to be furnished or performed for the City, or any department thereof involving an expenditure of more than Five Hundred Dollars (\$500) shall be made as in this chapter provided, and not otherwise. The words "commodities" and "service" as used in this chapter, shall be construed to include all work, labor, materials, supplies or other property and all lighting and other service, and all local or public improvements. The word "contract" as used in this chapter, shall be construed to include every agreement, in writing or otherwise, executed or executory, by which any commodities, work or service are to be furnished to or done

for the City, and every transaction whereby an expenditure is made or incurred on the part of the City or any department or any officer thereof.

All action in this chapter required or authorized to be taken by the Common Council shall be by resolution or ordinance. If the proposed contract be in the hands of a Board, under this Charter, this Board shall take the same proceeding as herein provided for the Common Council, and the Clerk or Secretary of such Board shall do those acts in relation to such contract as are provided by this chapter to be done by the City Clerk if the letting of the contract were in the hands of the Common Council.

Section 276. The first step toward making such a contract, shall be for the Common Council or Board charged with the duty of making such contract, to have the cost of the proposed commodity, work or service to be estimated and determined by such officer, employe or other person or persons as it shall deem best.

If such estimated cost does not exceed five hundred Dollars (\$500) the Common Council or Board, in whose hands the matter may be, may direct that the commodities, work or service be procured by or through the proper department or officer, without advertisement and public bids."


I further certify that the Common Council of the said City of Rochester, Minnesota, submitted the above proposed amendments to the qualified voters of said City at a Special Election held in said City on October 18, A. D. 1921; that more than three-fifths of the said voters voting at said Election voted in favor of the adoption of each of said amendments, and adopted and ratified each of the said amendments; that the number of qualified voters present and voting at said Election was 1367; that the number of said voters who voted in favor of the adoption of said amendment No. 1 was 903; that the number of said voters who

voted in favor of the adoption of said Amendment No. 2 was 1017; and that the number of said voters who voted in favor of the adoption of said Amendment No. 4 was 901; as shown by the returns of said Election canvassed by said Common Council at a meeting thereof held on October 19, A. D. 1921.

In testimony whereof I have hereunto set my hand in duplicate and have caused said duplicates to be authenticated by the seal of the City of Rochester, Minnesota, and attested by the City Clerk of said City this 27th day of October, A. D. 1921.


Mayor of the City of Rochester, Minn.

Attest:


City Clerk.

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