

ORDINANCE NO. 448

AN ORDINANCE OF THE BOROUGH OF MONROEVILLE AUTHORIZING THE ERECTION OF TRAFFIC SIGNALS AT THE INTERSECTION OF MOSS SIDE BOULEVARD AND HAYMAKER ROAD AT THE PROPERTY OF GATEWAY UNION SCHOOL DISTRICT.

BE IT ORDAINED and enacted by the Borough of Monroeville in Council assembled as follows:

Section 1. That traffic control signals be erected at the intersection of Moss Side Boulevard and Haymaker Road at the property of Gateway Union School District for the efficient control of traffic.

Section 2. Upon the opening of bids duly advertised for the construction of said traffic signals it appears that the lowest responsible bidder was R. C. Sutton, trading as Traffic Control and Engineering Company of Bridgeville, Pennsylvania, whose gross sum bid was Nine Thousand Two Hundred Seventeen (\$9,217.00) Dollars.

Section 3. The proper officers of the Borough of Monroeville are hereby authorized to enter into an Agreement with the said R. C. Sutton for the construction of said traffic control signals pursuant to plans and specifications prepared for the same and according to Monroeville Borough Drawing No. M-200. Such Agreement shall be substantially in the form attached hereto, made part hereof and marked Exhibit "A".

Section 4. As a condition precedent, however, to the execution of said Contract the Borough of Monroeville shall obtain all necessary permits from the Commonwealth of Pennsylvania, Department of Highways for the erection and maintenance of said traffic signals.

Section 5. Any Ordinance or part of Ordinance in conflict with this Ordinance is hereby repealed to the extent of such conflict.

ORDAINED AND ENACTED this 10th day of September, 1964.

S/Frank A. Witt
President of Council

Attest:

S/Carrol F. Pickens
Secretary

Examined and approved by me this 14 day of Sept., 1964.

S/John J. Duncan
Mayor

A G R E E M E N T

THIS AGREEMENT made and entered into this _____ day of _____, 1964, by and between the Borough of Monroeville, a municipal corporation, organized and existing under the laws of the Commonwealth of Pennsylvania, and situate in Allegheny County, Pennsylvania, hereinafter called "the Borough",

A
N
D

R. C. Sutton, trading and doing business as TRAFFIC CONTROL and ENGINEERING COMPANY, having its principal place of business in the Borough of Bridgeville, Allegheny County, Pennsylvania, herinafter called "the Contractor".

W I T N E S S E T H:

WHEREAS the Borough advertised for bids for labor and materials for the construction of certain traffic control signal equipment within the Borough; and

WHEREAS in response to said advertisement the said Contractor herein submitted a bid, and was the lowest responsible bidder; and

WHEREAS it is the desire of the Borough to accept the said bid, and enter into a contract for the supplying of labor and materials for the construction and erection of the said traffic control equipment;

NOW, THEREFORE, BE IT AGREED between the Borough and the Contractor as follows:

(1) The advertising for bids for this contract shall be incorporated herein as if specifically set forth.

(2) The bid form, including the specifications therein set forth and drawing No. M-200 of the Borough of Monroeville, designating the layout of said equipment, shall be incorporated herein as if specifically set forth.

(3) The Contractor agrees to supply all labor and materials necessary to construct and erect traffic signals and equipment, as set forth in the said specifications therefor and the said drawing No. M-200, for the gross sum of Nine Thousand Two Hundred Seventeen (\$9,217.00) Dollars.

(4) The Contractor agrees to commence work thereon within five (5) days after notice of approval has been received from the Commonwealth of Pennsylvania Department of Highways by the Borough of Monroeville, and diligently progress to supply the materials and complete the work as set forth in said specifications.

(5) The Contractor further agrees:

a. That, in the hiring of employees for the performance of work under this contract or any sub-contract hereunder, no contractor, sub-contractor, nor any person acting on behalf of such contractor or sub-contractor, shall by reason of race, creed, or color discriminate against any citizen of the Commonwealth of Pennsylvania who is qualified and available to perform the work to which the employment relates;

b. That no contractor, sub-contractor, nor any person on his behalf shall, in any manner, discriminate against or intimidate any employe hired for the performance of work under his contract on account of race, creed or color;

c. That there may be deducted from the amount payable to the Contractor under this contract, a penalty of Five Dollars (\$5.00) for each person for each calendar day during which such person was discriminated against or intimidated in violation of the provisions of the contract; and,

d. That this contract may be cancelled or terminated by the Borough and all money due, or to become due herunder may be forfeited for a second or any subsequent violation of the terms or conditions of this portion of the contract.

(6) Upon execution of this contract the Contractor shall supply to the Borough of Monroeville a performance bond and a labor and material bond, each in a sum not less than fifty (50%) percent of the gross amount bid, secured by one or more surety companies legally authorized to do business in the Commonwealth of Pennsylvania pursuant to requirements of Sections 1316 and 1319 of the Commonwealth of Pennsylvania Borough Code.

(7) The Contractor herein is an independent contractor and solely responsible for the work and consequences thereof as a result of this contract and he shall protect the work during the constructions thereof and is solely responsible therefor. He shall further carry workmen's compensation insurance, as well as public liability insurance, and shall furnish to the Borough a certificate of such insurance in such amount satisfactory to the Borough Engineer.

IN WITNESS WHEREOF and intending to be legally bound hereby, the parties hereto have caused this contract to be executed the day and year first above written.

ATTEST:

BOROUGH OF MONROEVILLE

Secretary

By _____
President of Council

WITNESS:

(SEAL)
R. C. SUTTON, trading and doing business
as TRAFFIC CONTROL AND ENGINEERING COMPANY