

No. 481, A.]

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CHAPTER 88.

AN ACT to amend section 925—186 of the statutes of 1898 relating to legalizing special assessments for street improvements and providing for re-assessments of special taxes in certain cases in all cities of the first and second class in this state.

The people of the state of Wisconsin represented in senate and assembly do enact as follows:

Bids, advertisements for; contracts legalized; powers conferred.

SECTION 1. Section 925—186 of the Wisconsin statutes for the year 1898 is hereby amended, so as to read as follows:

“Section 925—186. When any of the works before mentioned shall have been ordered to be done and the plans for the same, containing a description of the work, the materials to be used and such other matters as will give an intelligent idea of the work required, shall have been filed with the city clerk, where the same can be inspected by persons desiring to bid on such work, the board of public works shall advertise in the official paper of the city for bids for doing such work for such length of time as it may think the interest of the city demands, not less than once a week for four successive weeks. The board shall prepare, or cause to be prepared, a printed form for the contract, with sureties required, and furnish the same to all persons desiring to bid, and shall not consider any bid unless accompanied by a contract with sureties as prescribed by the form so furnished, completed, with the exception of the signatures on the part of the city. The notice published shall inform bidders fully of this requirement. In every city, whether operating under a general or special charter, no special assessment or certificate thereof or tax sale certificate based thereon shall be held to be invalid for the reason that any contract which has been heretofore or may hereafter be let contains, on the part of the contractor, a guaranty or any provision to keep the work done under such contract in good order or repair for a limited number of years, when such guaranty or provision was inserted therein for the purpose of insuring

the proper performance of such work in the first instance. All such provisions in contracts for doing public work, inserted for the purpose aforesaid, are hereby legalized, and all such provisions shall be deemed *prima facie* to have been inserted for that purpose, unless the time during which the contractor is required to keep the work in good order or repair shall exceed five years. Right and authority is hereby given to such cities to insert in contracts for the pavement of streets with asphalt the provision that the person, firm or corporation entering into any contract with such cities for the paving of its streets with asphalt shall in said contract agree with such city to permit such city to reserve and keep in its possession an amount equal to ten per cent of the total contract price for such work as a guaranty for the performance of the conditions contained in such contract; and further to furnish such city at the time of the making of such contract with a bond or undertaking in the sum equal to twenty-five per cent of the contract price of such work, conditioned for the faithful performance of all conditions and covenants contained in such contract and particularly the provisions contained in such contract with reference to the keeping in good order and repair for a definite number of years the paving work done. Such bond or undertaking shall be executed by said person, firm or corporation and by some surety or guaranty company on their behalf."

SECTION 2. All acts or parts of acts contravening the provisions of this act are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 20, 1903.