

AN ACT

TO PROVIDE FOR THE ERECTION OF A STATE CAPITOL BUILDING AT THE CITY OF DENVER, AND CREATING A BOARD OF DIRECTION AND SUPERVISION, AND APPROPRIATING FUNDS THEREFOR.

Be it enacted by the General Assembly of the State of Colorado :

\$150,000 appropriated.

Board of managers.

Salary of the board.

Clerk.

SECTION 1. That the sum of one hundred and fifty thousand dollars shall be and the same is hereby appropriated out of any moneys in the special fund created for that purpose for the construction and erection of a wing, to what is now or may hereafter be, the Capitol Building of the State of Colorado, in the City of Denver, and said sum, together with such other sums of money appropriated for that purpose by the provisions of this act, or any other act of the General Assembly of the State of Colorado, shall be expended under the control and supervision and by the direction of a Board of Managers of the Capitol Building, as hereinafter provided. The said board shall consist of seven members. The Governor of the State shall be a member of and the chairman of said board, and the remaining six members of said board shall be John L. Routt, Dennis Sullivan, George W. Kassler, Alfred Butters, E. S. Nettleton and W. W. Webster. Said board shall discharge the duties created and imposed upon it by this act, without compensation; *Provided*, each member of said board, except the Governor, shall receive four dollars per day for each day necessarily employed in his duties and actual traveling expenses; and said board shall have authority to employ a clerk to keep a record of their acts and proceedings, and pay him such compensation as said board shall deem reasonable. The money necessary to pay the said board and the said clerk shall be taken from the appropriation created and made by this and other acts for the erection of said Capitol Building; and provided, further, that said board shall have the power to fill all vacancies that shall arise in said board, and a majority

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of said board shall constitute a quorum and be empowered to act in all matters pertaining to the duties of said board.

SEC. 2. Within thirty days after the taking effect of this act, it shall be the duty of said board to advertise for sixty days in six newspapers of the largest circulation in the respective plates named, four of which shall be published in the State of Colorado, one in the city of Denver, one in Pueblo, and one in Greeley, Colorado, and one in Leadville, Colorado; one in the city of Chicago, Illinois, and one in the city of St. Louis, Missouri, calling for plans and specifications for a State Capitol Building; and said notice shall also contain a statement that the State will not be liable to any person furnishing any plans and specifications so called for, except the one which shall be accepted. One wing of which Capitol Building to be immediately constructed, as hereinafter provided; said wing not to exceed in cost two hundred thousand dollars, and to be built in conjunction with, and so built that it may be used in connection with the entire Capitol Building to be thereafter constructed, and so constructed as to form a part of what may finally be a symmetrical Capitol Building for the State of Colorado; and said first wing to be so erected and constructed as to contain rooms convenient for offices or committee rooms on the first floor, and on the second floor a hall for the House of Representatives; said hall to contain an area of not less than 9,000 square feet, together with appropriate galleries, and the building shall contain all the gas-piping, plumbing, drain pipes, ventilating shafts, or ducts and flues necessary or convenient for lighting, ventilating and heating the same in the most approved method. And the contracts for the Capitol Building shall provide for fire proof vaults sufficiently large and numerous to contain, and efficiently preserve, all the archives and papers of the different departments and the State government that may be located in the said building, and which shall be surrounded and protected by masonry in the most approved manner.

SEC. 3. Within twenty days after the day named in the advertisement, it shall be the duty of the said board, in conjunction with a competent builder and architect

Said board to advertise for plans and specifications for the building.

Wing not to exceed two hundred thousand dollars.

How it shall be built.

Fire proof vaults.

Adoption of plan.

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who shall not be interested in the letting of said contract, said builder and architect to be appointed by the board, to adopt that one of the plans so submitted which shall in their judgment, be calculated to best supply the wants and meet the requirements of the State, and they shall have the right to reject any or all of the plans submitted.

Compensation for
the plan.

SEC. 4. The said board shall allow, as compensation for the plan adopted, one and one-half per cent. on the contract price of said wing of said building to be constructed; but said architect shall, for the compensation aforesaid, make the general plan, specification, working and detailed drawings as herein provided. The board shall certify the contract price to the Auditor, who shall thereupon draw his warrant on the said special fund for three-fourths of one per cent. of the contract price in favor of the architect, the other three-fourths to be paid within one year after the delivery of the said plans, drawings and specifications; *Provided*, that the said architect shall receive in addition to the above per centum, one thousand dollars for the entire plans and specifications for said Capitol Building without the detailed drawings for the other wings; *Provided*, further, that no plans shall be adopted that will be for a building when completed that will cost more than one million of dollars, and the building herein provided for, when complete, shall not cost more than one million of dollars.

Advertise for bids
for the construction
of one wing.

SEC. 5. The board shall within thirty days after the adoption of the plans and specifications as above provided, advertise in six newspapers of the largest circulation in the respective places named, one of which shall be published in Denver, one in Pueblo, one in Greeley, one in Leadville, one in the city of Chicago, Illinois, and one in the city of St. Louis, Missouri, for sixty days, for bids for the erection and completion of a building to constitute one wing of the Capitol Building of the State as aforesaid, in accordance with the plans and specifications adopted. The said plans and specifications shall be kept in the office of the chairman of the said Board of Managers, and he is hereby made custodian of the same, and it shall be his duty to see that they are carefully preserved, and shall remain the property of the State. On the day specified in the advertisement for the ex-

amination of the bids the lowest and best res: board shall require a good security in the accompany each bid be made payable to : party making the bid will within twenty da provided for in section such bond or other before the bids are opened. The board shall reject any and all bids the board it shall be to do.

SEC. 6. In the event the bid is rejected, the board shall as before, except the time of sixty days. At the expiration of the time, the contract shall be rejected, in which case the bidder shall be responsible bidder for the same, and shall again advertise for a new bid, in accordance with the provisions provided, and the contract shall be :

SEC. 7. Immediately after the adoption of the plans and specifications, the board shall select a builder and architect whose duty it shall be to see that the provisions adopted by the board are carried out by the contractor in the building. And it is hereby made the duty of the superintendent to see that the construction of, and work done in all respects conform to the plans and specifications adopted. The superintendent shall make statements showing the progress of the work done on said building, and shall be held accountable to his duties as such. Such statement shall be made to the superintendent.

ing of said contract, printed by the board, submitted which shall best supply the wants of the State, and they shall the plans submitted.

allow, as compensation one-half per cent. on said building to be paid, for the compensation, specification, work-rein provided. The Auditor, who on the said special cent. of the contract other three-fourths to delivery of the said ; *Provided*, that the tion to the above per the entire plans and ling without the de- s; *Provided*, further, will be for a building e than one million of ovided for, when com- million of dollars.

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amination of the bids, the contract shall be awarded to the lowest and best responsible bidder for the State. The board shall require a good and sufficient bond or other good security in the sum of twenty thousand dollars to accompany each bid; such bond or other security shall be made payable to the State, on condition that if the party making the bid shall be awarded the contract, he will within twenty days after the award execute the bond provided for in section nine of this act, and in default of such bond or other security being filed with the board before the bids are opened, the bid shall not be considered. The board shall reserve and have the right to reject any and all bids if in the opinion of a majority of the board it shall be for the best interest of the State so to do.

Bond in sum of \$20,000 to accompany each bid; conditions of the bond.

SEC. 6. In the event that all the bids shall be rejected, the board shall immediately advertise again, same as before, except the time shall be for thirty days instead of sixty days. At the time mentioned in said advertisement, the contract shall be let to the lowest and best responsible bidder for the State, unless all the bids shall again be rejected, in which event the board shall forthwith advertise again in the same manner as in this section provided, and shall continue to so advertise until the contract shall be awarded.

If all bids are rejected the board to readvertise.

SEC. 7. Immediately upon the awarding of the contract the board shall appoint a competent, practical builder and architect as superintendent of construction, whose duty it shall be to see that the plans and specifications adopted by the board are faithfully carried out by the contractor in the construction of said Capitol Building. And it is hereby specially made the duty of the superintendent to see that the material used in the construction of, and work done upon the said building, shall in all respects conform in letter and in spirit to the plans and specifications. It shall be the duty of the said superintendent to make and return to the board monthly statements showing the amount and progress of the work done on said building, and such other information in regard to his duties as the board may direct or require. Such statement shall be made in writing and sworn to by the superintendent. The superintendent before entering

Superintendent of construction.

Shall execute a bond in the sum of \$25,000.

Compensation.

How building to be constructed.

Bond of contractor.

upon the discharge of his duties shall execute a bond to the State of Colorado with good and sufficient sureties in the sum of twenty-five thousand dollars to be approved by the Governor, and to be conditioned for the faithful performance of his duties as specified in this act. The superintendent shall be allowed by the board as compensation for his services two per cent. on the contract price of the work done under his supervision, which amount shall be certified to by the board, and on such certificate the auditor shall issue a warrant on the treasurer, payable out of the special fund for said amount, as the work progresses. The said superintendent shall give his constant personal attention to the work as it progresses, and shall also accompany the said board in all their visits of inspection, and give such information and explanation as may be required by the said board at any time.

SEC. 8. The Capitol Building shall be fire proof and the walls of said building shall be constructed of stone, or stone and brick, as the Board of Managers may direct; the face of said walls to be of stone, and all pillars, arches and ornamental work shall be of such kind and quality of stone as the board may decide after inspecting the plan that shall be adopted.

SEC. 9. The contractor before entering upon the execution of the contract shall execute a bond to the State of Colorado in the penal sum of not less than one hundred thousand dollars, with good and sufficient sureties to be approved by the Board of Managers and conditioned for the full and entire completion of the said wing of the Capitol Building and its connection with the balance of the Capitol Building as herein provided, so that it may be used in connection therewith, from the time of its completion and for the faithful performance of the contract in all respects. Said bond shall be given within twenty days after the awarding of the contract, or in default thereof, the contract shall be awarded to the next lowest and best responsible bidder, or the board may re-advertise for bids, if in the opinion of a majority of the board it shall be for the best interest of the State, and the defaulting parties shall pay to the State all damages which it may sustain by reason of such defaulting parties having failed to execute the bond and perform the contract.

SEC. 10. The completion of said wing on the first day of December, 1881, shall make out and on the first day of each an work done and mate the board shall, after certify to the auditor or upon the estimate presented to the auditor said special fund, or the contractor, for ei fied to by the board building is complete shall certify this fact draw his warrant f vided, that the who visions of this act, plans, architect, buil expenditure under shall not exceed in dred thousand doll person or firm to wh shall accept the sam contracts made, or l the State under any shall execute a rele: mands against the: vices rendered, or n building or under t.

SEC. 11. It sha agers on the first Mo progresses, to inspe inquire into the ma executed, and if the done or material f character less valu tract, they shall im or that said work c not be received, and signifies his intentio or of re-constructin

all execute a bond to and sufficient sureties in dollars to be approved and sworn for the faithful performance in this act. The board as compensation on the contract price and on such certificate on the treasurer, payable amount, as the work progresses, and in all their visits of inspection and explanation as at any time.

It shall be fire proof and be constructed of stone, of Managers may direct; and all pillars, arches such kind and quality of after inspecting the plan

Before entering upon the execution a bond to the State not less than one hundred and sufficient sureties of Managers and completion of the said wing in connection with the balance herein provided, so that performance of the contract shall be given within thirty days of the contract, or in all be awarded to the next day, or the board may resolution of a majority of the interest of the State, and the State all damages of such defaulting parties and perform the con-

SEC. 10. The contract shall provide for the completion of said wing of said Capitol Building by the first day of December, 1884. During the progress of the construction and erection of said building the superintendent shall make out and file with the board on or before the first day of each and every month his estimates of the work done and material furnished by the contractor, and the board shall, after an examination of such estimates, certify to the auditor the amount found due the contractor upon the estimates. Upon such certificate being presented to the auditor, he shall draw his warrant on the said special fund, or Capitol Building fund in favor of the contractor, for eighty per cent of the amount so certified to by the board, and when the said contract and building is completed and final estimates made, the board shall certify this fact to the auditor, and he shall then draw his warrant for the balance on the contract; *Provided*, that the whole amount paid out under the provisions of this act, including the cost of advertising, plans, architect, builder, superintendent and every other expenditure under and by the provisions of this act, shall not exceed in the aggregate the sum of two hundred thousand dollars; and *Provided further*, that each person or firm to whom any such payment shall be made shall accept the same as payment in full of any and all contracts made, or liabilities incurred, by or in behalf of the State under any of the provisions of this act, and shall execute a release in writing, of all claims, and demands against the State, on account of any and all services rendered, or material furnished on account of said building or under the provisions of this act.

Contract to be completed by Dec. 1st, 1884.

How contractor to be paid.

SEC. 11. It shall be the duty of said Board of Managers on the first Monday of every month while the work progresses, to inspect the work on said building and to inquire into the manner in which the contracts are being executed, and if they shall find any portion of the work done or material furnished under said contracts of a character less valuable than stipulated for in said contract, they shall immediately give notice to the contractor that said work or material, as the case may be, will not be received, and unless such contractor immediately signifies his intention of procuring the proper material, or of re-constructing the work, as the case may be, and

Duty of board of managers to inspect.

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CAPITOL BUILDING.

shall proceed immediately to do so, or in case he shall so signify and shall fail to furnish such new material, or perform such new work within a reasonable time to be fixed by said board, said board shall make known to him that his contract is rescinded and at an end, and such contract shall be re-let as originally provided for in this act, *Provided*, however, if the said contractor shall have furnished any material, or done any work on said building such as was contracted for, the said board shall have the right if in their judgment it is equitable and just, to allow the party its value and may issue their certificate on the auditor for the amount, and *Provided further*, that no part of the work shall be deemed accepted until the final acceptance on completion of the wing to be built.

Board to report to
the general as-
sembly.

SEC. 12. It shall be the duty of said Board of Managers to report to the General Assembly of the State at the next regular meeting thereof, the manner in which they have discharged their duties, the character and condition of the work done, the money expended, the various persons contracted with, the amount and character of the contracts, the date of the several bonds, taken together with the names of the obligors, the contracts which may have been forfeited, in whole or in part, and all other information relative to the erection of said building. Also an estimate of the amount required to complete the State Capitol Building.

Superintendent, to
report to the gov-
ernor before next
regular session of
the general as-
sembly.

SEC. 13. It shall be the duty of the superintendent to make his report to the Governor on or before the first day of the next regular session of the General Assembly, of the manner in which the work has been executed, noting in said reports what contractors, if any, have failed to perform their contracts in whole or in part, and what injury or loss has resulted from such failure.

Emergency.

SEC. 14. In the opinion of the General Assembly an emergency exists, therefore this act shall take effect and be in force from and after its passage.

Approved February 11, 1883.

CITIES

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TO AMEND SECTION
GENERAL LAWS
RADO, ENTITLED
ESPECIALLY CITY

Be it enacted by the General

SECTION 1. That section "C" of the General Laws entitled "Towns and Cities Second Class," shall be amended so that qualified electors of cities shall elect the first Tuesday in April, a mayor, a city marshal, who shall each hold their offices for two years, and until their successors are appointed. The mayor shall be a member of the city council and shall vote with the council, not otherwise. He shall receive a salary to be determined by the city council, and shall receive a majority of the votes at the first meeting thereof, held on the first Tuesday in April, for the term of two years, except sooner discharge shown. When it may appear that a mayor may be convicted for violations of the laws, he shall receive such salary as the city council may provide, as the city council may provide hereinafter provided for. The provisions of this section as to the mayor, entering upon the duties to be approved by the city clerk, in such sum with two solvent securities of the duties of his office as may be fixed by ordinance, shall be the same fees as is allowed