**25. Order to Suspend Work[[1]](#endnote-1)**

WHEREAS, it appears to the council that there has been improper construction[[2]](#endnote-2) by the contractor in the \_\_\_\_\_\_\_\_\_\_ line of Improvement No. \_\_\_\_\_\_\_\_\_\_, the improvement of \_\_\_\_\_\_\_\_\_\_ Street between the \_\_\_\_\_\_\_\_\_\_ line of \_\_\_\_\_\_\_\_\_\_ Street and the \_\_\_\_\_\_\_\_\_\_ line of \_\_\_\_\_\_\_\_\_\_ Street,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF \_\_\_\_\_\_\_\_\_\_\_\_, MINNESOTA: That work by the contractor be suspended forthwith and that the city clerk advertise for bids for the reconstruction of the work improperly done and for the completion of the improvement according to the plans and specifications therefor in the same manner as the original advertisement for bids was made;[[3]](#endnote-3) that such bids shall be opened and considered by the council on (month) (day) , (year) .

Adopted by the council this \_\_\_\_\_\_ day of (month) , (year) .

Mayor

\_\_\_\_\_\_\_\_\_\_\_

City Clerk

**END OF FORM**

1. The improvement code provides that in case of improper construction or unreasonable delay in the prosecution of the work by the contractor, the council may suspend the work at any time and re-let the contract or order a reconstruction of any portion of the work improperly done. Where the cost of completion of the reconstruction necessary will be less than $175,000, the council may do it by the employment of day labor. [↑](#endnote-ref-1)
2. If the cause of the suspension is unreasonable delay, the phrase “improper construction” should be deleted and the phrase “unreasonable delay in the prosecution of the work” substituted. [↑](#endnote-ref-2)
3. This language is usable only where the new contract will cover both reconstruction of the improper work and completion of the improvement. If the cause of the suspension is unreasonable delay, the language “for the reconstruction of the work improperly done and” should be omitted. If the council wishes to complete the project by using day labor, the language preceding the footnote and following the words “suspended forthwith and” should be stricken, and the following substituted:

   “that the city engineer complete the improvement by day labor as provided by law according to the plans and specifications therefor.”

   If there is improper work to be reconstructed also, a reference to the reconstruction should be added. [↑](#endnote-ref-3)