2988.

APPROVAL, PROPOSED CONTRACT WITH E. L. BRUEGGEMAN, AKRON, OHIO, FOR CONSTRUCTION OF HULL FOR SUCTION DREDGE FOR OHIO CANAL NEAR CLEVELAND, OHIO.

COLUMBUS, OHIO, April 13, 1922.

Department of Highways and Public Works, Division of Public Works, Columbus, Ohio.

GENTLEMEN:—The receipt is acknowledged of your letter of April 7, 1922, and your supplementary letter of April 12, 1922, transmitting for my examination a proposed contract, in triplicate form, with E. L. Brueggeman, Akron, Ohio, covering construction of a hull for a suction dredge for the Ohio canal near Cleveland, Ohio.

Papers submitted with the contract in question include the following:

(1) Proof of publication showing insertion in the Beacon-Journal, Akron, Ohio, for four consecutive weeks beginning February 16, 1922, and in the Cleveland News for four consecutive weeks beginning February 16, 1922, of notice that bids would be received on March 20, 1922, the final insertion in the two newspapers having been made on March 9, 1922.

(2) Detailed plans, instructions to bidders and specifications.

(3) Bond furnished by the contractor in the sum of $1,420.00, with E. A. Brueggeman and Walter L. Bischoff as sureties.

(4) Certificate of the Director of Finance showing that the sum of $1,418.25 is available for the carrying out of the contract.

(5) Certificate of the Industrial Commission of Ohio showing that the contractor has complied with the provisions of the workmen's compensation law.

(6) A list of bids for the work as set out in your supplementary letter of April 12, 1922.

I note that the estimated cost of the work was $1,463.25, and that award has been made to the lowest bidder, E. L. Brueggeman, at his bid of $1,418.25, which is within the estimate.

I also find from the endorsements on the papers bound with the contract that Director Herrick has given approval to the form of notice to contractors and to the plans, specifications and method of publication of notice; and I also find on inquiry at the office of the Auditor of State, that plans, specifications, estimates, form of proposal and bond, etc., were deposited in that office.

I note that the contract has been signed by Director Herrick on behalf of the state under date April 12, 1922, and has also been executed by the contractor.

Finding as I do that the proceedings of your department as to the contract in question have been in conformity to law, I am giving my approval to the contract and bond, and am returning the contract herewith, together with the accompanying papers above mentioned.

Respectfully,
JOHN G. PRICE,
Attorney-General.