1906 OPINIONS

Kent State College, Kent, Ohio, and the J. E. Christian Company of Akron. Ohio. This contract covers the construction and completion of contract for general work for remodeling Merrill Hall, Kent State College, Kent, Ohio, as set forth in Item No. 2, Item No. 10, Alternate No. 4; Item No. 11, Alternate No. 5; Item No. 13, Alternate No. 7; Item No. 21, Alternate No. 15; Item No. 25, Alternate No. 19; Item No. 8, Alternate No. 2, and Item No. 9, Alternate No. 5, of the form of proposal dated December 22, 1930. Said contract calls for an expenditure of forty-six thousand, seven hundred and nine dollars (\$46,709.00).

You have submitted the certificate of the Director of Finance, to the effect that there are unencumbered balances legally appropriated, in a sum sufficient to cover the obligations of the contract. You have also submitted evidence to the effect that the Controlling Board has consented to the expenditure, as required by Section 11 of House Bill 510 of the 88th General Assembly. In addition, you have submitted a contract bond upon which the Independent Indemnity Company of Philadelphia, Pa., appears as surety, sufficient to cover the amount of the contract.

You have further submitted evidence indicating that plans were properly prepared and aproved, notice to bidders was properly given, bids tabulated as required by law, and the contract duly awarded. Also it appears that the laws relating to the status of surety companies and the Workmen's Compensation have been complied with.

Finding said contract and bond in proper legal form, I have this day noted my approval thereon, and return the same herewith to you, together with all other data submitted in this connection.

Respectfully,
GILBERT BETTMAN,
Attorney General.

2774.

APPROVAL, CONTRACT BETWEEN THE STATE OF OHIO AND THE ROMITO BROTHERS ELECTRIC CONSTRUCTION COMPANY, OF AKRON, OHIO, FOR ELECTRICAL WORK FOR REMODELING OF MERRILL HALL, KENT STATE COLLEGE, KENT, OHIO, AT AN EXPENDITURE OF \$3,330.00—SURETY BOND EXECUTED BY THE FIDELITY AND CASUALTY COMPANY OF NEW YORK.

COLUMBUS, OHIO, December 31, 1930.

HON. ALBERT T. CONNAR, Superintendent of Public Works, Columbus, Ohio.

DEAR SIR:—You have submitted for my approval a contract between the State of Ohio, acting by the Department of Public Works, for the Board of Trustees, Kent State College, Kent, Ohio, and the Romito Brothers Electric Construction Company, of Akron, Ohio. This contract covers the construction and completion of contract for electrical work for the remodeling of Merrill Hall, Kent State College, Kent, Ohio, as set forth in Item No. 6, Item No. 18, Alternate No. 12; Item No. 20, Alternate No. 14, and Item No. 22, Alternate No. 16 of the form of proposal dated December 17, 1930. Said contract calls for an expenditure of three thousand, three hundred and thirty dollars (\$3,330.00).

You have submitted the certificate of the Director of Finance to the effect that there are unencumbered balances legally appropriated, in a sum sufficient to cover the obligation of the contract. You have also shown that the Controlling Board has consented to the expenditure as required by Section 11 of House Bill 510, of the 88th

General Assembly. In addition you have submitted a contract bond upon which the Fidelity and Casualty Company of New York appears as surety, sufficient to cover the amount of the contract.

You have further submitted evidence indicating that plans were properly prepared and approved, notice to bidders was properly given, bids tabulated as required by law and the contract duly awarded. Also it appears that the laws relating to the status of surety companies and the Workmen's Compensation have been complied with.

Finding said contract and bond in proper legal form, I have this day noted my approval thereon and return the same herewith to you, together with all other data submitted in this connection.

Respectfully,
GILBERT BETTMAN,
Attorney General.

2775.

APPROVAL, CONTRACT BETWEEN THE STATE OF OHIO AND ROBERT S. HARSH AND ASSOCIATES, COLUMBUS, OHIO, FOR ARCHITECTURAL SERVICES FOR ELECTRICAL LINES FROM VOCATIONAL TRAINING SCHOOL BUILDING, GRADE SCHOOL BUILDING AND THE HIGH SCHOOL BUILDING AND CHAPEL AT OHIO SOLDIERS' AND SAILORS' ORPHANS' HOME, XENIA, OHIO, AT AN EXPENDITURE OF \$380.00.

COLUMBUS, OHIO, December 31, 1930.

Hon. Albert T. Connar, Superintendent of Public Works, Columbus, Ohio.

DEAR SIR:—You have submitted for my examination and approval a contract between the State of Ohio, acting by and through the Department of Public Works, for and on behalf of the Board of Trustees of the Ohio Soldiers' and Sailors' Orphans' Home, Xenia, Ohio, and Robert S. Harsh and Associates, 145 North High Street, Columbus, Ohio, for architectural services in connection with installation of electrical lines from Vocational Training School Building, the Grade School Building and the High School Building and Chapel, at said Home, and providing for compensation to the architect in an amount equal to five and one-half per cent (5½%) of the amount paid out by the State of Ohio under and on account of contracts entered into by the State for the construction of said improvement.

You have also submitted evidence showing that the Controlling Board has consented to the expenditure of three hundred and eighty and 81/100 dollars (\$380.81) for architectural services on this project. You have further submitted encumbrance estimate No. 175 in the amount of three hundred and forty-nine and 80/100 dollars (\$349.80) and bearing the certificate of the Director of Finance, as required by Section 2288-2, General Code. A filed statement of the board of trustees of the Ohio Soldiers' and Sailors' Orphans' Home requests that the contract under consideration be entered into by yourself.

Finding said contract in proper legal form, I have endorsed my approval thereon and return the same herewith to you, together with all other papers submitted in this connection.

Respectfully,
GILBERT BETTMAN,
Attorney General.