

3503.

APPROVAL, CONTRACT BETWEEN THE STATE OF OHIO AND THE BABCOCK & WILCOX COMPANY OF PITTSBURGH, PA., FOR THE CONSTRUCTION AND COMPLETION OF BOILER, BRICKWORK, DUCT WORK, ETC., FOR OHIO PENITENTIARY, AT AN EXPENDITURE OF \$46,291.00—SURETY BOND EXECUTED BY THE NATIONAL SURETY CORPORATION.

COLUMBUS, OHIO, November 24, 1934.

HON. JOHN MCSWEENEY, *Director, Department of Public Welfare, Columbus, Ohio*

DEAR SIR:—You have submitted for my approval a contract between the State of Ohio, acting by the Department of Public Welfare, and the Babcock & Wilcox Company of Pittsburgh, Pa. This contract covers the construction and completion of Boiler, Brickwork, Duct Work and all accessories complete for the Ohio Penitentiary, Columbus, Ohio, in accordance with the form of proposal dated October 22, 1934. Said contract calls for an expenditure of forty-six thousand two hundred and ninety-one dollars (\$46,291.00).

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 a certificate of the Controlling Board showing that such board has approved the release of funds for this project, in accordance with section 8 of House Bill No. 699 of the 90th General Assembly, regular session. In addition, you have submitted a contract bond upon which the National Surety Corporation 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. A certificate of the Secretary of State shows that the contracting foreign corporation herein is admitted to do business in Ohio.

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,

JOHN W. BRICKER,

*Attorney General.*