

1590.

APPROVAL, BONDS OF SANDUSKY COUNTY—\$56,907.97.

COLUMBUS, OHIO, March 5, 1930.

Industrial Commission of Ohio, Columbus, Ohio.

1591.

COUNTY COMMISSIONERS—INVITING BIDS ON OTHER PLANS THAN THOSE PREPARED BY SURVEYOR FOR BRIDGE CONSTRUCTION—WHEN AWARDING OF CONTRACT ON A PATENTED PLAN AUTHORIZED.

SYLLABUS:

Under the provisions of Section 2345 and its related sections of the General Code, county commissioners, when they have invited bids on other plans than those prepared by the county surveyor, and such plans and specifications have been duly filed fifteen days prior to the date of receiving bids, may legally award a contract on a patented plan and specifications for the construction of a bridge, if in the judgment and discretion of said board of county commissioners the proposal accepted is the lowest and best bid.

COLUMBUS, OHIO, March 6, 1930.

Bureau of Inspection and Supervision of Public Offices, Columbus, Ohio.

GENTLEMEN:—Acknowledgment is made of your recent communication requesting my opinion upon a question submitted to you by one of your examiners, as discussed by the letter which you enclose. Said letter reads:

“The ----- Company of -----, has constructed all bridges in this county (23 in number) during the period covered by my examination and the county is now planning the construction of five more bridges which they will no doubt build.

Three of these bridges and four extra contracts on bridges were constructed without any contract. The plan followed is for the surveyor to make plans and specifications for steel bridges which they have no intention to construct and advertise for bids on such plans. The ----- Company, furnish their own plans and specifications for concrete bridges which plans and specifications are patented and the county commissioners, surveyor and auditor find that their bid regardless of amount is the lowest and best and award the contract to them.

A provision in the specifications of the ----- Company is as follows:

The bridge construction required by these plans is of ----- design, and includes improvements, devices, features of design, methods of construction, inventions and copyrights owned by -----, Designing and