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CONTRACT—STATE WITH THE WENTE ELECTRIC COMPANY, ELECTRICAL WORK, CONTRACT NO. 2, MEN'S DORMITORY AND ADDITION TO LINDLEY HALL, WOMEN'S DORMITORY, OHIO UNIVERSITY, ATHENS.

COLUMBUS, OHIO, March 20, 1939.

HON. CARL G. WAHL, *Director, Department of Public Works, Columbus, Ohio.*

DEAR SIR: You have submitted for my approval a contract by and between The Wente Electric Company, a corporation of Ohio, and the State of Ohio acting through you, as Director of the Department of Public Welfare, for the Board of Trustees, Ohio University, Athens, Ohio, for the construction and completion of Electrical Work for a project known as Contract No. 2, Addition to Men's Dormitory (Houses "A" and "D") and Addition to Lindley Hall (Women's Dormitory) Ohio University, Athens, Ohio, as set forth in Item 4, of the Form of Proposal dated December 28, 1938. This project calls for an expenditure of \$11,637.00.

You have submitted the following papers and documents in this connection: Certification from The Athens National Bank, Athens, Ohio, that the sum of \$80,000.00 is on deposit and set up as a PWA account and earmarked as the Dormitory Construction Fund; Certification from The Bank of Athens National Banking Association of Athens, Ohio, that the sum of \$90,000.00 is on deposit and set up as a PWA account and earmarked as the Dormitory Construction Fund; Estimate of Cost, Division of Contract; Notice to Bidders; Proof of Publication; Workmen's Compensation Certificate showing the contractor to have complied with the laws relating to compensation; Form of Proposal containing the Contract Bond signed by The Ohio Casualty Insurance Company, and the Certificate of Compliance with the laws of Ohio relating to surety companies; the recommendations of the State Architect, Director of Public Works, and Director of Public Welfare; Controlling Board's release; Approval of PWA; Letter of certification from the Auditor of State, showing that the necessary papers and documents are on file in said office; and the tabulation of bids received on this project.

I have examined the specifications made part of the contract by reference and find that a prevailing wage schedule is attached to said specifications in compliance with Section 17-4 of the General Code of Ohio.

I find no clause in the contract complying with Section 2366-1, General Code, but by reason of the penal provisions of said section, I am of the opinion that any aggrieved person has an adequate remedy at law,

and the absence of said provision is not such as to invalidate said contract.

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 documents submitted in this connection.

Respectfully,

THOMAS J. HERBERT,

Attorney General.