

501.

## APPROVAL, FINAL RESOLUTIONS, ROAD IMPROVEMENTS IN WOOD COUNTY.

COLUMBUS, OHIO, June 29, 1923.

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

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502.

## APPROVAL, FINAL RESOLUTIONS, ROAD IMPROVEMENTS IN LUCAS COUNTY.

COLUMBUS, OHIO, June 30, 1923.

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

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503.

## MODIFICATION OF CONTRACT UNDER SECTION 4331 G. C.—EXPENDITURE MUST NOT EXCEED ORIGINAL APPROPRIATION—MUST HAVE SUBSTANTIAL REFERENCE TO PRIMARY CONTRACT.

## SYLLABUS:

1. *Under the provisions of section 4331 G. C., the Director of Public Safety with the approval of the Board of Control and the acceptance of the contractor may legally modify an original improvement contract. However, the expenditure made in connection therewith must not exceed the original appropriation for such contract.*

2. *A modification or alteration of a contract under the provisions of section 4331 G. C., must have some logical and substantial reference to the primary contract. A modification, the purpose of which is to substitute a new and different contract from the one formerly entered into, is invalid. Such a modification in order to be legal must arise on account of an unforeseen condition arising in connection with the progress of the work begun under a proper original contract.*