

3661.

APPROVAL, BONDS OF BELLAIRE CITY SCHOOL DISTRICT, BELMONT COUNTY, OHIO—\$9,000.00.

COLUMBUS, OHIO, October 15, 1931.

*Retirement Board, State Teachers Retirement System, Columbus, Ohio.*

3662.

DISAPPROVAL, CONTRACT BETWEEN THE STATE OF OHIO AND THE SKINNER ENGINE COMPANY OF ERIE, PENNSYLVANIA, AND CINCINNATI, OHIO, FOR ENGINE GENERATOR UNITS AND FOUNDATION FOR ENGINE GENERATOR UNITS IN POWER HOUSE, LONGVIEW STATE HOSPITAL, CINCINNATI, OHIO, AT AN EXPENDTURE OF \$35,698.00.

COLUMBUS, OHIO, October 16, 1931.

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 department of public welfare, and the Skinner Engine Company of Erie, Pennsylvania, and Cincinnati, Ohio. This contract covers the construction and completion of contract for combined base bid for four valve horizontal engine generator units and foundations for horizontal engine generator units in a building known as Power House and Equipment, Longview State Hospital, Cincinnati, Ohio, according to items 2 and 5 of the form of proposal submitted August 4, 1931. Said contract calls for an expenditure of thirty-five thousand, six hundred and ninety-eight dollars (\$35,698.00).

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 furnished evidence to the effect that the consent and approval of the controlling Board to the expenditure has been obtained in accordance with section 3 of House Bill 596 of the 89th General Assembly. In addition you have submitted a contract bond upon which the National Surety Company 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. It appears that the laws relating to the status of surety companies have been complied with. A certificate shows that the Skinner Company does not employ three or more men in Ohio and therefore no industrial certificate is required. Evidence is furnished to the effect that the secretary of state certifies that the Skinner Company is authorized to do business in Ohio. It appears, however, from the files submitted that the proposal was received on August 4, 1931, but that the award was not made until October 3, 1931. In the case of *State, ex rel. Elliott Co., vs. Connar*, 123 O. S. 310, it was stated in the syllabus: