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APPROVAL—CONTRACT AND BOND, STATE WITH E. C. REITZ COMPANY, BELLEVUE, ELECTRICAL WORK NATATORIUM, BOWLING GREEN STATE UNIVERSITY, BOWLING GREEN.

COLUMBUS, OHIO, February 21, 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 E. C. Reitz Company of Bellevue, Ohio, and the State of Ohio, acting through you as Director of the Department of Public Works for the Board of Trustees, Bowling Green State University, Bowling Green, Ohio, for the construction and completion of a contract for the electrical work on a project known as the Natatorium, Bowling Green State University, Bowling Green, Ohio, as set forth in Item 3 of the Form of Pro-

posal dated November 16, 1938, which contract calls for the expenditure of \$4800.

You have submitted the following papers and documents in this connection: Certificate of the Board of Trustees stating that the cost of project has been provided from local dormitory funds, as provided by Section 7923-1, General Code, and a PWA grant; estimate of cost; division of contract; notice to bidders; workmen's certificate showing the contractor had complied with the laws of Ohio relating to compensation; the form of proposal containing the contract bond signed by the Massachusetts Bonding and Insurance Company, and the certificate of compliance with the laws of Ohio relating to surety companies; the recommendation of the State Architect and Director of Public Works, and Director of Public Welfare; Controlling Board 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 been advised that the original bids submitted exceeded the original estimate, and that in accordance with Section 2320, General Code, the matter has been readvertised. I therefore find that your certification of publication is regular and in due form.

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.

Very truly yours,

THOMAS J. HERBERT,
Attorney General.