

2568.

APPROVAL, CONTRACT BETWEEN THE STATE OF OHIO AND C. ELLIS BUNDY, WOOSTER, OHIO, FOR PLUMBING FOR POULTRY STORAGE AND SERVICE BUILDING, AT OHIO AGRICULTURAL EXPERIMENT STATION, WOOSTER, OHIO, AT AN EXPENDITURE OF \$800.00.

COLUMBUS, OHIO, September 13, 1928.

HON. RICHARD T. WISDA, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—You have resubmitted for my examination and opinion a contract between the State of Ohio, acting by the Department of Public Works, for the Board of Control of the Ohio Agricultural Experiment Station, Wooster, Ohio, and C. Ellis Bundy, of Wooster, Ohio. This contract covers the construction and completion of Plumbing Contract for Poultry Storage and Service Building, Brooder House and Laying House at the Ohio Agricultural Experiment Station, and calls for an expenditure of Eight hundred and no/100ths dollars. (\$800.00).

This contract, together with a number of other papers submitted relating thereto, was the subject of an opinion rendered to you under date of August 24, 1928, being Opinion No. 2483. In said opinion the contract was disapproved because of the fact that the Industrial Certificate required by Section 2319, General Code, had not been furnished. In all other respects the statutory requirements had been complied with. You have submitted an affidavit made by C. Ellis Bundy to the effect that he does not employ more than two men in the conduct of his plumbing business and that he does not contemplate the hiring of more than two men to do the work on the above contract. Under these circumstances, the contractor is not required to contribute to the State Insurance and Occupational Disease Fund and the certificate required by Section 2319, General Code, is therefore unnecessary.

Finding said contract and other papers in proper legal form and properly executed, I hereby approve said contract and return the same to you with my approval endorsed thereon, together with all other papers submitted in this connection.

Respectfully,

EDWARD C. TURNER,  
*Attorney General.*

2569.

APPROVAL, CONTRACT BETWEEN THE STATE OF OHIO AND BELL AND LAUTZENHEISER, WOOSTER, OHIO, FOR HEATING CONTRACT FOR POULTRY STORAGE AND SERVICE BUILDING, OHIO AGRICULTURAL EXPERIMENT STATION, WOOSTER, OHIO, AT AN EXPENDITURE OF \$1,771.00.

COLUMBUS, OHIO, September 13, 1928.

HON. RICHARD T. WISDA, *Superintendent of Public Works, Columbus, Ohio.*

DEAR SIR:—You have resubmitted for my examination and opinion a contract between the State of Ohio, acting by the Department of Public Works, for the Board of Control of the Ohio Agricultural Experiment Station at Wooster, Ohio, and Bell and Lautzenheiser, of Wooster, Ohio. This contract covers the construction and completion of Heating Contract as set forth in Item 3 of proposal of June 19th for

construction of Poultry Storage and Service Building, Brooder House and Laying House at Ohio Agricultural Experiment Station, Wooster, Ohio, and calls for an expenditure of One thousand seven hundred seventy-one and no/100ths dollars (\$1,771.00).

This contract, together with a number of other papers submitted relating thereto, was the subject of an opinion rendered to you under date of August 24, 1928, being Opinion No. 2484. In said opinion the contract was disapproved because of the fact that the Industrial Certificate required by Section 2319, General Code, had not been furnished. In all other respects the statutory requirements had been complied with. You have now furnished the certificate of the Industrial Commission to the effect that the contractor has complied with the laws pertaining to workmen's compensation and is entitled to the rights and benefits of the State Insurance and Occupational Disease Fund for a period of six months, beginning September 8, 1928.

Finding said contract and other papers in proper legal form, and properly executed, I hereby approve said contract and return the same to you with my approval endorsed thereon, together with all other papers submitted in this connection.

Respectfully,

EDWARD C. TURNER,  
*Attorney General.*

2570.

APPROVAL, CONTRACT BETWEEN STATE OF OHIO AND THE WATTS & SUHRBIER COMPANY, TOLEDO, OHIO, FOR REBUILDING OLD TUNNELS AND PIPING, BOWLING GREEN STATE NORMAL SCHOOL, BOWLING GREEN, OHIO, AT AN EXPENDITURE OF \$13,613.00—SURETY BOND EXECUTED BY THE METROPOLITAN CASUALTY INSURANCE COMPANY.

COLUMBUS, OHIO, September 13, 1928.

HON. RICHARD T. WISDA, *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 Board of Trustees, Bowling Green State Normal School, Bowling Green, Ohio, and The Watts & Suhrbier Company, of Toledo, Ohio. This contract covers the construction and completion of Combined General Contract (including Electrical Work and Piping Contract) for Rebuilding Old Tunnels and Piping, Bowling Green State Normal School, Bowling Green, Ohio, and calls for an expenditure of Thirteen thousand six hundred and thirteen dollars (\$13,613.00).

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. Inasmuch as the contract under consideration calls for reconstruction and not for original construction, the provisions of Section 12 of House Bill No. 562 of the 87th General Assembly do not apply and the consent and the approval of the Controlling Board to the expenditure of the money is not required. In addition you have submitted a contract bond, upon which The Metropolitan Casualty Insurance Co. 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. No Industrial Certificate has been furnished.