

338.

CONTRACT—STATE WITH OTIS ELEVATOR COMPANY,
ELEVATORS FOR WOMEN'S DORMITORIES, OHIO
STATE UNIVERSITY, COLUMBUS.

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 Otis Elevator Company, a Corporation of New Jersey, and the State of Ohio, acting through you, as Director of the Department of Public Works, for the Board of Trustees of Ohio State University, Columbus, Ohio, for the construction and completion of Elevators for the Women's Dormitories on the campus of Ohio State University, as set forth and covered by the form of proposal dated February 16, 1939.

You have submitted the following papers and documents in this connection: Instruction to bidders, containing authority of the representative of the Otis Elevator Company to enter into the contract; also contained in the instructions to bidders is the contract bond signed by the National Surety Corporation, with the authority of the signer and the certificate of compliance from the State of Ohio, Division of Insurance, certifying that said National Surety Corporation has complied with the laws of Ohio, relating to insurance; Division of Contract; Notice to Bidders and proof of publication; Estimated cost record; Copy of the official proceedings of the Seven hundred and second meeting of the Board of Trustees of Ohio State University, which proceedings recite in detail the acceptance of the offer of the Federal Emergency Administration of Public Works for the payment of 45 per cent of this project and which proceedings also recite that the remaining 55 per cent of the cost of this project will be financed by notes issued under authority of Senate Bill No. 492 (92nd General Assembly) which bond proceedings were approved by Hon. Herbert S. Duffy, the then Attorney General, on November 1, 1938, and which opinion is numbered 3172, of the Attorney General's Opinions of 1938.

You have also submitted in this connection, Workmen's Compensation Certificate showing that the laws relating to Workmen's Compensation have been fully complied with by the contractor; Letter of Carl E. Steeb, Secretary of the Board of Trustees of Ohio State University, setting forth the fact that the issued bonds in connection will be purchased by the State Teachers Retirement System and that funds from this source will be deposited with the University Treasurer in an account to be known as the "Ohio State University Women's Dormitories Con-

struction Account" and that the costs of construction will be paid from this fund.

There are also submitted copies of official proceedings wherein the approval of WPA, approval of Board of Trustees of Ohio State University, and approval of Howard Dwight Smith, University Architect, are set forth. I find that all papers, documents, plans and specifications are on file in the office of the Auditor of the State of Ohio by certification of this fact in the form of a letter from the State Auditor. There is also submitted herewith a tabulation of bids on this particular work.

Finding said bond in proper legal form, I have noted my approval thereon, and am returning all papers and documents submitted in this connection.

Respectfully,

THOMAS J. HERBERT,

Attorney General.