File No. 10178 Continued. CORRESPONDENCE.

7853 Referring to the description of five ply bars, at top of page 35, it clearly means a description of steel flat if five-ply tool proofing is used.

The drawings also, on sheet 4, specifies tool proofing.

" 5 " " "

and on " 13 " " " five times.

Additional reasons can be seen in my reply to Mr. Bonsal that I sent you.

Further, I would say that should such a construction be put upon the specifications that five ply work was intended, this job could not be done, as most all of this construction is formed of angle bars, channel bars, plates and hexagon bars and but little flat bars and no round bars. And the five ply people do not make any tool proofing in angles or channels as compose the greater part of the work; and further, their samples, as shown, disclose the fact that the case is of steel instead of iron as called for.

I, therefore, say that there can be no other interpretation than my actions in this work are in full accord with the specifications.

THIRD

7854 While I take the decided stand that I have acted fully up to the specifications, I would look at it from a standpoint that the specifications did call for five ply work only; I would then be violating my duty in not calling the attention of the Law Officer of the city to it and also the Board of Awards before allowing them to approve such specifications.

And if such specifications could be approved, and contract awarded, would there not be sufficient power given in the specifications to the Inspector of Buildings to make a change for the best interests of of the city, which best interest has been fully set forth by test made by direction of His Honor, the Mayor. Said right is fully shown in the decision of the City Solicitor in response to the question about tests.

It is certainly plain, then, that from whatever side this is viewed, whether that the specifications throw open this steel work to all tool proofing, or if only one is considered, there is no illegal act of the Inspector of Buildings.