

File No. 10559 Continued.

CORRESPONDENCE.

test.

The cost per square yard for paving in the railway tracks is a fraction less than \$1.93. During the year 1909 we received a number of bids from various contractors for paving, similar to the paving on Ostend Street, and in no case was the price anywhere near as low as the price we have charged Mr. Hood. The prices named by contractors, to this Department, ranged from \$2.12 to \$2.35 per square yard.

I am willing to knock off the 10% which we added for supervision and use of tools, but I am not willing to reduce my bill one dollar beyond this amount.

Very truly yours,

(Signed) B. T. Fendall,
City Engineer.

File No. 10559.

OPINION.

LAW DEPARTMENT.

Baltimore, February 4th, 1910.

B. T. Fendall, Esq.,
City Engineer,
Baltimore.

Dear Sir:-

8285

I reply as follows to your letter of the 29th ultimo, relative to the bill rendered by you to the United Railways for the paving of Ostend street between the Company's tracks and two feet on either side thereof: I do not see that there is anything for you to do but to insist upon the payment of whatever you consider to be the proper price for the work in question.

Under date of October 9th I advised you that in my opinion you had the right to do this work and charge the Railroad Company with its proper share. The question now really relates only to the fairness of the City's bill. That is a matter to be determined by you, as far as the City is concerned. If you knock off the ten per cent, which you mention, the difference between you and Mr. Hood amounts to about \$200.