

Honorable Arthur B. Price, Mayor Ex Officio (cont'd)

extend no further than to ascertain whose was the lowest bid and the pecuniary responsibility of the bidder and his sureties, but also duties and powers which are deliberate and discretionary. It is scarcely open to doubt but that the word under consideration, to wit, "responsible" as it is used in the Charter means something more than pecuniary responsibility. In a contract such as the one you write about the work must be done promptly, faithfully and well; it must or ought to be conscientious work. To do such work requires prompt, skillful and faithful men. A dishonest contractor may impose faulty or sub par work upon the City in spite of the utmost caution exercised by the one charged with supervision. You have in this case the past performance of the contractor on other City work performed by him as a guide to his ability and reputation for supplying good and sufficient material and labor called for under the contract.

Further, it is the opinion of this office that the Board of Estimates can award the Western High School contract to the Piracci Construction Company, and the conviction of the misdemeanor named standing alone need not disqualify this bidder.

This opinion is further based upon the understanding that the Department of Public Works, which is most familiar with the demonstrated ability of the Piracci Construction Company to perform contracts, is recommending the award of this contract to this company.

Very truly yours,

/s/ THOMAS N. BIDDISON  
City Solicitor

/s/ F. CLIFFORD HANE  
Assistant City Solicitor

FCH/keb