

File No. 92548

May 12, 1954

To the Honorable, The President and Members
of the Board of Estimates of Baltimore City
City Hall
Baltimore - 2, Maryland

Gentlemen:

On April 28, 1954, Mr. William E. Lehr, Director of School Facilities, recommended the waiving of liquidated damages, in the amount of \$1,975,00, for alterations on the Administration Building No. 523, at 2300 North Calvert Street - Contract E-404-53.

On Wednesday, May 5, 1954, Contract E-410, for alteration work at 2300 North Charles Street, was brought before the Board, with a recommendation from the Director of School Facilities that same be awarded to the Daile Engineering Company, at their low bid price of \$97,436.00.

Both of these matters were referred to this office for an opinion, with particular regard to whether these contracts should be supervised by the Bureau of Building Construction or the Board of School Commissioners.

Section 68 of the Baltimore City Charter, Title "Public Works - Bureau of Building Construction", provides:

"Unless provided otherwise by the Charter or by law or by ordinance enacted after May, 1947, all new municipal buildings and additions shall be erected, and all substantial alterations to existing public buildings shall be made, under the supervision, control and direction of this Bureau."

Section 91 of said Charter, Title "Education, Department of - General Powers and Duties", provides, under subsection (c):

"Subject to the provisions of the Charter relating to the Planning Commission, the Board shall have the authority to select sites. All plans and specifications for school buildings, including changes in said plans and specifications, shall be prepared under the direction of and approved by the Board. The Board shall also have authority to maintain and repair all school buildings."

In a letter from the Director of Public Works, he advises: