

February 23, 1971

Earl T. Casler  
1094 East 9th Street  
Upland, California 91786

Gentlemen:

In response to your request for clarification of the matter of building permits for the library sub-contractors the following is submitted.

The requirements of the contract, specifically prepared by Anthony and Langford, state that sub-contractors must obtain and pay for required permits. This would include the electrical, plumbing, heating and ventilating and sewer contractors.

The following applicable sections are quoted.

"Sec. 15A Plumbing.

15A.02

- C. Meters, Permits and Inspections. The contractor must obtain and pay all fees for permits, licenses, inspections, etc. which are required by all legally constituted authorities, and make all necessary arrangements with utility companies for meter installations and sewer connections."

"Sec. 15B Heating, Ventilating and Air Conditioning.

15B.04

- C. Fees, Permits and Licenses. Fees, permits and licenses required by the legally constituted authorities for the installation of the work according to the plans and specifications shall be obtained and paid for by this contractor who shall deliver the above mentioned certification to the architect."

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"Sec. 16A Electrical.

16A.02 General Requirements

B. Permits and Fees.

1. Obtain and pay for all permits and licenses required for the electrical work."

We have no knowledge of any other written instruction or documents made available to bidders and must assume that all sub-contractors who bid did so on the basis of these contract provisions. We have no knowledge of any verbal waivers of these provisions and question their validity if any were, in fact, given.

Our most recent previous experience with capital projects of this type were the Police facility and Fire Department headquarters buildings. These were designed by the same architect whose specifications for those projects read similarly to these as quoted above. At that time the general contractor, the Brattain Company, was advised of this requirement. They concurred and insisted on compliance by the affected sub-contractors. These contractors did obtain and pay for required permits. Xerox copies of these permits are attached.

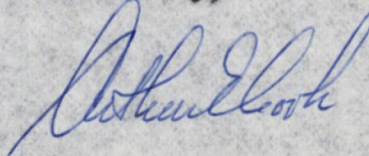
I would also invite your attention to "Sec. 1A Special Conditions.

1A.06 Sub-contracting.

- A. Contractor agrees to bind every sub-contractor by terms of the contract as far as such terms are applicable to his contractors work. If contractor shall sub-contract any part of this contract, contractor shall be as fully responsible to District for acts and omissions of his sub-contractors and of persons directly employed by himself."

In conclusion, it appears clear that the contract specifications require permits to be obtained and paid for by sub-contractors. If we were not to insist on enforcement of these requirements of the specifications unsuccessful bidders might well have cause for complaint. The precedent set by this same architect in our police and fire facilities confirms the logic of this application.

Sincerely,



Arthur E. Cook  
Public Works Director

AEC:sh

cc: Anthony and Langford  
Building Department  
bc: Resident Inspector -

February 23, 1971

140 S. Glendora

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