

SHOULD THE CITY ENGINEER BE UNDER THE CONTROL OF THE BOARD OF PUBLIC WORKS?

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I am of the conviction that the question involved in the title of this paper should be answered, "Yes." The city engineer should be directly responsible to some body representing the city and I know of no other body which would more appropriately fill that place than the board of public works.

There is no question as to the sanity of the idea that the city engineer should be responsible to some vested authority. Just as an engine needs a governor to keep it under control, so the engineer needs some controlling apparatus to hold him level. Nevertheless, certain differences arise at times between the engineer and board of public works which cannot be avoided; these will come and should be expected.

Is there danger of corruption creeping into the board of works through material interests and impeding the work of the engineer? To that question I should say that in most cases, especially in our smaller cities, the danger of corruption is slight.

Does the board interfere with the engineer in what is considered "good practice" endeavoring to substitute amateur ideas? No, I have not found much trouble on that score. The greatest variance which I have found has been when the board has attempted to intercede in behalf of some contractor or property owner who feels that he has been frightfully wronged.

If corruption in your city administration is your trouble, then you are in a bad way and you had much better be out of a job. If your board vetoes your "good engineering practice" it will soon learn by experience and will give no more trouble, for when a board's amateur ideas have gone wrong a few times, the members will begin to appreciate your advice in engineering matters.

It has been my experience that the greatest difficulties arise between the engineer and the board of public works through misunderstanding between the engineer and a contractor. We are engaged in building a sewage disposal plant in our city, and have a special consulting engineer handling the work. One day this engineer suddenly came upon the job and found the contractor pouring concrete which was entirely too wet. He ordered the contractor to stop the work and remove ten or twelve yards of concrete. I never have seen a contractor who delighted in such reverses and this contractor was no exception. He sent for the board of works and I happened to be the only member in the city. He explained to me how rude

the consultant had been and asked me to give my opinion which I cheerfully did. I advised him to speedily remove the concrete in question and to do whatever else the consultant engineer demanded which I believe was right.

In conclusion let me say that whatever may be your difficulty with your board of public works, thrash it out once and for all and arrive at a definite understanding. A governing and impelling hand is a necessity and I believe the board of public works is as adaptable to the purpose as any city body.

PUBLIC WORKS CONTRACTING AS A BUSINESS

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Construction is one of the oldest, and the second largest industry in the world. It is surpassed only by agriculture in the number of persons employed and the volume of expenditures per year. Its relation, therefore, to commercial or business affairs is decidedly important. Construction is essentially a business, and of its many branches there is none more important than that which we are to consider in this assignment—"Public Works." A fitting definition for public works, in the sense that we are using it, would be, "Any structure, or project, for the construction of which public moneys are appropriated and expended." Accepting this definition as applicable, we at once see that public works embraces highways, streets, bridges, sewers, public buildings and the like. With the view of throwing some light on this business of public works the following phases of it will be treated hereinafter in the order named: Ordinances and statutes; forms of contract; indefinite and restrictive clauses in specifications; incompetent supervision and unrestrained competition.

Ordinances and Statutes

When and wherever public moneys are used, or for whatever purpose they may be appropriated, the need for laws to govern such expenditures at once manifests itself. This need arises always from the necessity of safeguarding the public from whom, through taxation, the money is derived. Consequently, ordinances and statutes governing public works contracts have become multitudinous and range from the smallest unit of local government to the largest unit of federal government. The legal aspect of public works contracting has become as important as the prosecution of the contract itself, and by