

1973 WL 27722 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

October 26, 1973

***1 Re: Alcoholic and Drug Addition Treatment Center, Construction Contract.**

Honorable P. C. Smith
State Auditor
P. O. Box 11333
Columbia, South Carolina 29211

Dear Mr. Smith:

You have requested that this office advise you as to whether the assignment of the above-referenced construction contract from Phillips Construction Company to Kinsey Construction Company would endanger or adversely affect the interest of the State of South Carolina.

This office has reviewed the aforementioned construction contract, made an investigation of the circumstances surrounding both of these construction companies, and have communicated with the surety company which holds the performances bond on this project. With this information, we have determined that bond coverage is in affect on this project if there is an assignment to Kinsey Construction Company, and that the past performance either by Phillips Construction or by Kinsey Construction Company is also covered under this performance bond. We have insured that the performance bond coverage has no gaps in the same, and that the interest of the State has been protected throughout this construction project and will continue to be protected until the project has been satisfactorily completed.

It is therefore the opinion of this office that the State of South Carolina, and the Department of Mental Health can validly authorize the assignment of this construction project without being adversely affected by the same. I trust that this has been a sufficient answer to the question you posed, if we may be of any further assistance please do not hesitate to call.

Very truly yours,

Timothy G. Quinn
Senior Assistant Attorney General

1973 WL 27722 (S.C.A.G.)

End of Document

© 2021 Thomson Reuters. No claim to original U.S. Government Works.