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**McCASKILL & McCASKILL**  
ATTORNEYS AT LAW

G. E. McCASKILL  
J. H. McCASKILL

MIAMI, FLORIDA Feb. 23, 1924.

Mr. Frank J. Pepper,  
Miami, Florida.

Dear Sir:-

RE: BISCAYNE DRAINAGE DISTRICT

It will be impossible for me to be present at the meeting this afternoon. In this connection, I wish if you would do so, that you mention the matter either to Mr. W. I. Evans or to Mr. Simmons, that I would like to get out of going any further with the Biscayne Drainage District, and if either of these gentlemen will take the work up and carry it on at the present time, I will make no charge for my services up to this time. I have been paid something by the property owners, about \$435.00, but out of that I have paid about \$50., or more, for expenses - for advertising - and have done a good deal of work. I am so busy that I would like to avoid the work in the future, which is of considerable volume. I shall be glad to tell anybody who would take the work over, anything I know about it and offer suggestions from time to time, without any charge.

In reference to the bid of Mr. SWEET for the drainage, I understand that his bid is considered to be too low perhaps, or in fact, so low that he probably could not do the work and that you would be embroiled in considerable trouble in getting the work done. He may be willing to give a surety bond for the full amount of the contract, but my experience with bonds is that they are very little consolation - in fact, none - when a contractor falls down on his job. The best surety for the completion of work is a large retainer of say, 25%.

If it is found that Mr. Sweet is a stranger, that he has done no work in this vicinity of this character, that he has no machinery for it, that he has not been able to carry to a successful conclusion similar projects in some other vicinity, then the Board of County Commissioners should determine that, although he was the lowest bidder he could not be the best, and therefore accept the next higher. The law is that the Board shall accept the lowest

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Mr. F. J. P.

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and best bid, and "best" has as much significance as "lowest." If you accept some other bid, then of course the cost of the work will exceed \$300,000, and you will have to know what portion thereof the Dade Drainage District will bear. In any event, the Board of County Commissioners will have to either accept or reject the bids, and your recommendation may be made to them at their next meeting. Your recommendation can be determined upon at this time. Furthermore, no contract can be entered into with the successful bidder until after the bonds shall have been sold. Therefore, we can enter into no contract at this time. The Board of County Commissioners can do that at a future date. But it is important that you determine what recommendation you will make to the Board which will very likely be acted upon, and acting upon your recommendation, we can prepare all resolutions for the Board of County Commissioners, such as a resolution with reference to the receipt of bids, the suspension of action thereon, the authorization of issuance of bonds, etc.

Yours very truly,

*L. E. McCaskill*  
*per J. P.*

GEM/S

BOND