

THE CORK CORPORATION AND THE  
IRISH BUILDER.

WE annex below from the local *Examiner* the discussion that took place in the Cork Corporation re the tenders sent in for the building of the boundary wall at the Cattle Market, the decision in the first instance being adversely commented upon in our last issue.

At the meeting on Friday, to consider the fresh tenders, a letter was read from Messrs. E. and P. O'Flynn, contractors, stating that they declined to send in a second tender, as they considered the Corporation should have accepted their tender on the previous day, instead of advertising for fresh ones.

Mr. Fox moved that the letter be accepted as a tender, and that the contract be given to the Messrs O'Flynn.

Ald. Jones seconded the motion.

Mr. Murphy (South Mall) said that they had not come to consider the tenders yet, and the motion was irregular.

Mr. Fox said it was a disgraceful way to treat business men like the Messrs. O'Flynn.

Ald. Jones was about speaking again, when Mr. Murphy objected, and said that the Alderman was out of order.

The chairman ruled that he was in order.

Mr. Murphy—Then I appeal to the *locum tenens* for the Town Clerk. I question your ruling.

Mr. Creedon—You cannot consider that letter to-day unless you rescind the resolution passed on last day to advertise for fresh tenders. I hold that no person can move a motion on that.

Mr. Kennedy—The view of Mr. Fox can be carried into effect when the tenders are opened.

Mr. Ryan said he was as great a friend of the Messrs. O'Flynn as any man in the room, but as a matter of principle he would wish to have the tender opened first before they came to any decision on the subject.

Mr. Lane—The Messrs. O'Flynn have not made a second tender, but they expect that letter to be taken as a fresh tender.

At a later period, Ald. Jones moved that the tenders be not opened, and that Messrs. O'Flynn's first tender be accepted.

Ald. Paul seconded the motion, because he thought that if they acted otherwise they would be doing the Messrs. O'Flynn an injustice.

Ald. Jones said there was an article in the IRISH BUILDER, which was an authority on these matters, and he would like to read it for the council. It was headed "The Tender System in Cork," and in reference to the decision of the council last day about the tenders for this work then sent in, it said—"Three tenders were received, namely, £219, £178, and £78, the latter being that of Mr. Michael Walsh, Clogheen, which was accepted subject to the approval of the engineer. At a meeting of the Corporation a few days ago the City Engineer reported with reference to the tender which he had accepted, and sent far Mr. Walsh to give him directions, but that gentleman wrote to say that he had made a mistake of £100 in his tender. Alderman Jones and Alderman Finn proposed and seconded that the tender of £178 be accepted. Two other members of the Corporation proposed and seconded a motion to advertise for tenders again, and, a vote being taken, this amendment was carried.

The conduct or procedure illustrated above is simply dishonourable and disgraceful. We recently used strong but just language in reference to a similar case, where the tenderer put in an absurdly low price, and, as in the Cork case, wrote afterwards to say he made a mistake. The Cork Corporation should have accepted the second lowest tender, and have paid no attention to builders who are not ashamed to plead a huge mistake in a very small matter. The builder who honestly tendered at first for the work at the sum of £178 was in due cause entitled to the contract. The fresh tenders are to be sent in by the 19th inst., and then "we shall see what we shall see," perhaps insult added to injury.

Ald. Dwyer seconded Ald. Jones' motion.

Mr. Creedon said at last meeting they decided to advertise for fresh tenders, and they should open those before deciding the question. They could not adopt Ald. Jones' motion without rescinding the resolution come to on the last day.

Ald. Jones—If that is held, I will move the suspension of the standing orders.

Mr. Creedon—The Corporation are not bound to receive the lowest tender in this case, and the council will have the power of accepting Messrs. O'Flynn's tender if it thinks right to do so.

Mr. Kennedy—Ald. Jones' object can be readily effected by allowing the tenders to be opened first and anyone can then propose that Messrs. O'Flynn's tender be accepted.

Mr. Giltinan then opened four tenders which had been received, the amounts tendered for being respectively £175, £190, £158, and £167.

Mr. Fox said these tenders were drawn up on the lines of the previous ones. He would move now that Messrs. O'Flynn's tender for £178 be accepted, and in doing so he as acting just as he would in his own private business.

Several members seconded the motion.

Mr. Murphy (South Mall) moved as an amendment that the tender at £158 should be accepted, and he did so merely for the purpose of repudiating the gross calumny contained in the article from the IRISH BUILDER read by Ald. Jones. He (Mr. Murphy) had not the remotest idea who was tendering on the last occasion when the amendment was proposed to advertise for fresh tenders but the IRISH BUILDER took very good care not to publish the names of the proposer and seconder of the amendment, though it did so of the resolution. It was very strange of Ald. Jones to read such an article in that council from the pen of a writer in the IRISH BUILDER who calumniated them because they would not act on his advice.

Mr. Tivy seconded the amendment as a protest against the article read by Ald. Jones, and he denied that the Corporation, in the course they took the last day, were acting dishonourably or unworthy.

He did not think there were more respectable builders than the Messrs. O'Flynn, and he would be sorry if they did not get the contract; but he did not wish that the Corporation should establish that dangerous principle of allowing the lowest tenderer to withdraw. He would merely second the amendment as a protest against the most unwarrantable and the most uncalled-for article in the IRISH BUILDER.

Mr. Dale—I am sure Mr. Murphy will not press his amendment. I think the Corporation acted very improperly in not accepting Messrs. O'Flynn's tender—not because it was Messrs. O'Flynn's, but on principle.

Mr. Tivy—I withdraw from seconding the amendment.

Mr. Murphy—My proposing it was only a matter of form. I withdraw it now.

The tender of Messrs. O'Flynn at £178 was then accepted unanimously.

"All's well that ends well." If the right thing was done first, trouble, expense, and perhaps heartburnings would be saved. The whole affair is a small matter, but withal it involved a principle that should never be ignored. We print in another column a letter bearing on the subject, and, as we made a few remarks in connection with it, we do not care to further enlarge upon it.

[Taken from *Irish Builder*, Vol. XXIV, 1882, p.34]