

MAINE STATE LEGISLATURE

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127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 244

H.P. 176

House of Representatives, February 3, 2015

**An Act To Require the Use of Preapproved Subcontractors for
Publicly Funded Construction Projects**

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative DeCHANT of Bath.
Cosponsored by Senator PATRICK of Oxford and
Representatives: EVANGELOS of Friendship, GILBERT of Jay, MASTRACCIO of Sanford,
Senators: DUTREMBLE of York, LIBBY of Androscoggin.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 5 MRSA §1743-D** is enacted to read:

3 **§1743-D. Preapproved subcontractors**

4 **1. Subcontractor chosen from preapproved list.** A proposer, as defined in section
5 1743, that is awarded a capital improvement contract subject to competitive bidding in
6 accordance with this subchapter with a value greater than \$100,000 and that included in
7 its bid the use of a subcontractor must be assigned a subcontractor from a list of approved
8 subcontractors compiled by the Director of the Bureau of General Services as described
9 in this section. If the work of the subcontractor included in the proposer's bid has a
10 good-faith estimate value of \$10,000 or less, the proposer may use a subcontractor of the
11 proposer's choosing.

12 **2. Compilation of preapproved subcontractor list.** The Director of the Bureau of
13 General Services shall submit a general request for proposals for the components of
14 future capital improvement projects listed in subsection 3. The form for a general request
15 for proposals may be determined by the director. The request for proposals must indicate
16 that the bidder is seeking to be included among a list of preapproved subcontractors to be
17 selected to complete a component of capital improvement projects, as listed in subsection
18 3, for which future contracts may be awarded. The subcontractor bids must be submitted
19 in a manner that allows the director to estimate the cost to complete the subject
20 component of a capital improvement project. A subcontractor that submits a bid to be
21 included on the preapproved list may indicate any general contractors with whom it
22 prefers to work and any general contractors with whom it chooses not to work.

23 **3. Project components subject to selection from preapproved list.** The Director
24 of the Bureau of General Services shall compile a list of approved subcontractors for the
25 following components of capital improvement projects:

- 26 A. Roofing and flashing;
- 27 B. Waterproofing, damp-proofing and caulking;
- 28 C. Lathing and plastering;
- 29 D. Marble;
- 30 E. Terrazzo;
- 31 F. Heating, ventilation and air conditioning;
- 32 G. Painting;
- 33 H. Masonry;
- 34 I. Glass and glazing;
- 35 J. Plumbing;
- 36 K. Electrical;
- 37 L. Elevators;

