

MAINE STATE LEGISLATURE

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DEPARTMENT OF ADMINISTRATIVE & FINANCIAL SERVICES
BUREAU OF GENERAL SERVICES
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DONALD L. MCCORMACK
DIRECTOR

To: The Joint Standing Committee on State and Local Government
From: Donald McCormack, Director, Bureau of General Services
RE: Statutory Reports
Date: January 25, 2012

The Bureau of General Services, pursuant to different sections of Title 5, is responsible for a variety of reports to the Joint Standing Committee on State and Local Government. The reports are provided together below for your convenience. More information is available in nearly all cases should the Committee require it.

5 MRSA Ch. 155-A § 1830 Status of Current Fleet Vehicle Operations

This law requires a general report on the Central Fleet Management Division (CFM). CFM was established by the Legislature in 1991 in the Department of Administrative and Financial Services, Bureau of General Services, for the purpose of acquiring, maintaining and managing light duty vehicles for use by State Government and its employees on official state business except the Department of Public Safety. CFM works with agencies to reduce transportation costs. Strategies include minimizing operational disruption by providing well-maintained vehicles, increasing the fuel efficiency of the fleet, providing appropriate vehicles to complete assigned tasks avoiding unnecessary costly vehicles, converting employees who are being reimbursed for mileage into using more cost-effective state vehicles, and other initiatives. For example, on the CFM 2009 vehicle order more than 70 vehicles were purchased by CFM for use by employees who previously were using their own vehicles and who were being reimbursed for their mileage. Since these vehicles have been put into service it has saved agencies over \$259,000 when compared to the paid mileage reimbursement rate of .44 cents per mile. An agency reimbursing an employee or employees for 20,000 miles per year for paid mileage could save approximately \$2,500 per year if the employee/employees used a compact sedan from Central Fleet Management, based on current paid mileage and CFM rates. The average cost for agencies to operate a CFM car during FY11 was \$0.336 per mile, well below the State paid mileage rate of the average of \$0.44 for the same time period. There were 1,922 vehicles in the fleet at the end of FY11, a decrease of 55 vehicles from FY10.

5 MRSA Ch. 153 § 1742-D (8) Status of Current Leases

The Division of Leased Space was established by law in 1991 to procure, administer and hold leases for space on behalf of all departments and agencies. The Division today administers over 230 leases statewide totaling approximately 1.5 million square feet of space, primarily office space. The acquisition of leased office space is effectively managed through an open and competitive process, effective negotiations and by having a broad perspective of leasing activities across all departments and various geographic regions of the State. The Division seeks to consolidate, regionalize and increase the density of state owned space through the development of departmental space programs and long term space planning. State agencies, working through the Division, lease space in approximately 80 municipalities, every county and in 35 downtown areas and 15 service center communities. The anticipated cost of leased space for the current fiscal year is approximately \$24.5 million. The cost of leased space leveled in 2009 and is beginning to decline as the Division increases space efficiencies with consolidations, co-locations and the utilization of more state owned space.

This trend reflects the Division's efforts to reduce or contain the cost of leased space. The Leased Space Division is an internal service fund and receives no general fund appropriation.

5 MRSA § 1825-B (10) List of State Preferences Published

This law requires the Bureau of General Services to publish a list of states that give preference to in-state bidders with the percent increase applied in each such state. The Bureau of General Services or any department or agency of the State may rely on the names of states and percentages as published in determining the best-value bidder without incurring any liability to any bidder. Maine relies on the State of Oregon's Reciprocal Preference website, as do many states. The link to that list is shown below, and is published on the Bureau of General Services, Division of Purchases website. When on Oregon's site, the detailed preference information for each state can be obtained by clicking on "Details" under "Preference Conditions." (http://www.oregon.gov/DAS/SSD/SPO/reciprocal_detail.shtml)

5 MRSA § 1825-P Code of Conduct Report

The law requires a report to the Committee regarding the administrative and fiscal impact of the Code of Conduct for the supply of apparel, footwear, or textiles, and the degree of compliance with the Code of Conduct law. The law aims to ensure certain standards are met by vendors who sell apparel, footwear or textiles to the State.

In an effort to more accurately reflect the statewide purchasing of apparel, footwear, or textiles, this report differs from previous years. Previously, reports were based on data concerning specific vendors known to sell clothing items. This report uses data based on the "object code" rather than the vendor. It includes all clothing purchases in general as well as those purchases that occurred with non-standard clothing vendors. This reporting method more accurately reflects higher spend values than previous years but more accurately reflects total purchases. The data is dependent on each agency using the correct object code.

The State of Maine expended \$901,727.16 on clothing-related items in calendar year 2011. Of that total, \$639,102.91 (71%) was expended with Code of Conduct compliant vendors.

The following is a list of vendors the State of Maine holds (or held in calendar year 2011) with a Master Agreement for clothing-related items compliant with the Code of Conduct law. Please note, if a vendor is on the list below, it does not mean that the vendor's entire line of products is Code of Conduct compliant.

Ben's Uniforms Inc.	Amesbury	MA
Bob Barker Co.	Fuquay Varina	NC
Camelot Enterprises	Stoughton	MA
Cintas Corp.	Westbrook	ME
Compliance Safety LLC	Portland	ME
D R Designs LLC	Winthrop	ME
Fire Tech & Safety of NE	Winthrop	ME
HAH Inc., Harry's Motor Sport	Presque Isle	ME
Hamilton Marine Inc.	Searsport	ME
Howard Uniform Co.	Baltimore	MD
Johnson Woolen	Johnson	VT
Jordan David	Horsham	PA

Joseph Sleeper & Sons	Caribou	ME
Kamin Apparel	Havertown	PA
L L Bean Inc.	Freeport	ME
LT's Inc.	Portland	ME
Maine Oxy Acetylene Supply Inc	Auburn	ME
Neptune Uniforms & Equip.	Haverhill	MA
Rosen's Uniforms	Albany	NY
Safeware Inc.	Landover	MD
Schnee's Inc.	Bozeman	MT
Tri State Police & Fire Equip	Winthrop	ME
Unifirst Corp.	Portland	ME
W.S. Emerson	Brewer	ME
Winterport Boot Shop	Brewer	ME
Wise Uniforms & Equipment	Augusta	ME

A total of \$430,668.07 was expended in calendar year 2011 with the vendors listed above. Of that total, \$207,291.72 was made using a State of Maine Procurement Card, and \$223,376.35 was made via the more standard "Delivery Order" purchasing process.

In calendar year 2011, a total of \$471,059.09 was also expended for clothing-related items through "spot" purchases (i.e. not via a State of Maine Master Agreement). Of that total, \$208,434.84 was made with vendors who have current Code of Conduct affidavits. A remaining \$262,624.25 was made with vendors who do not have current Code of Conduct affidavits – and the vast majority of that total (\$205,360.15) was purchased through non-contract transactions outside of the Bureau of General Services Division of Purchases (the other \$57,264.10 was made using a State of Maine Procurement Card).

5 MRSA Ch. 15-A § 325 Historic Preservation of State House and Blaine House

This law requires the commission to report to the Legislature on its accomplishments and recommendations relating to the work and needs of the commission. The Blaine House Commission was established by the Legislature in 1993 to review and approve proposed changes to the home of Maine's governors and its grounds. Consisting of four state agency directors and five public members with related professional expertise, the Commission meets periodically in response to specific proposals which affect this historic property.

The Commission has worked closely with the non-profit support group, Friends of the Blaine House, to restore and maintain the 1920 New England Garden on the north side of the grounds and with the Bureau of General Services on the complete electrical re-wiring of the historic Blaine House to replace the knob and tube wiring which has been in place since 1920, while maintaining the appearance of the old fixtures. This past year, there were also repairs to some ceiling cracks, the front door porch light fixture and refinishing of some of the hardwood floors. The active partnership of the First Family, the Blaine House Commission, the Friends of the Blaine House, and the Bureau of General Services assures the continuing preservation and enhancement of this state treasure.

5 MRSA § 1825-B (3) Cooperative Agreement Report

The law authorizes the State to enter into cooperative agreements with the University of Maine System and the Community College Systems when the agreement involves assisting a State agency and enhancing the ability of the University System or Community College System to fulfill its mission. The law providing for cooperative agreements allows competitive bidding to be waived. Executive Order 26FY11/12, AN ORDER TO ENHANCE COMPETITIVE BIDDING, dated November 22, 2011 restricts the waiver authority without written approval of the Governor's office. In calendar year 2011, 134 cooperative agreements were awarded pursuant to this law with a total value of \$22.9 million and a median value of \$32,500.

2007 Resolve, Chap. 201, § 11 Status of Bangor State Facilities Campus

The Bangor Campus of state government is an historic site, which today is home to the Dorothea Dix Psychiatric Center (DDPC), Saxl Park, certain state offices, facilities for veterans and an increasingly diverse mix of uses. The Bureau of General Services, together with the Dorothea Dix Psychiatric Center and other agencies located on the campus, had Winton Scott Architects prepare an assessment of the existing conditions of the campus. Additional preparatory work was done by Planning Decisions Inc., to provide a better foundation of information that will assist when considering options specific to the future of this historic campus.

Over the past year, the future of the DDPC/Bangor Campus has remained unclear and a lack of resources has contributed to a temporary delay in the Master Planning process and establishing a framework for implementation of the plan over time. However, BGS continues to analyze State agency space needs in the Bangor area and potential options to be considered for the Bangor Campus.

2009 Resolve, Chapter 102: Resolve, Regarding the Sale of Certain Real Property in the City of Hallowell

This Resolve required a report to the Committee regarding the status of all efforts toward the sale or transfer of Certain Real Property in the City of Hallowell. Efforts to sell the property were stopped in 2011 and the Legislatively-sanctioned stakeholder group discontinued meetings. BGS has developed a new policy and procedure for the disposition of State Surplus Real Estate that will be used to dispose of the Property in the City of Hallowell. The Legislatively-granted authority to sell or transfer the site has been extended to September 13, 2016, pursuant to 2011 Resolve, Chapter 70. BGS has this property sale as a priority but has not initiated the sale process at this time. The state will continue to seek a sale or redevelopment of the site consistent with prior Legislative action, which called for a portion of the site to be reserved for municipal use, a portion for use by the school unit, and for other various public interests to be pursued such as open space and historic preservation.