

MAINE STATE LEGISLATURE

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September 3, 1957

To Norman U. Greenlaw, Commissioner of Institutional Service
Re: Kitchen Bids, Augusta State Hospital

In your memorandum of September 3, 1957, in regard to the bid submitted by Stewart & Williams, Inc., for kitchen alterations at the Augusta State Hospital, you state that a Council Order dated August 28, 1957, in regard to this work has been tabled and you were requested to consult this office in regard to the matter.

You state that the original proposal submitted by Stewart & Williams, Inc., contained a statement setting forth the sub-contract bids which were used in completing their proposal, together with a statement that in case of approved substitutions of sub-contractors a price adjustment was to be made.

Subsequently, before acceptance by you, a substitution was requested for plumbing work, which resulted in a gross increase in the contract price of \$10,462., which amount was subsequently reduced, by negotiation relative to another substitution, to a net increase of \$5,180.

The situation now is that you are not willing to accept their original proposal, have not signed the contract, and will not sign it unless they do something different than they originally proposed, namely, substitute a sub-contractor to do the plumbing work for one to whom you object on the basis of seven different reasons as set forth in your memorandum to me. In other words, they have proposed one contract, to which you will not agree, and they now, at your request, submit a new proposal at a different price.

This different price is still the low price of all the bids submitted, and Stewart & Williams, Inc., should be considered to be the low bidder on the basis of their latest proposal, as changed by them at your request to conform to your requirements.

Frank F. Harding
Attorney General

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