

MAINE STATE LEGISLATURE

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June 5, 1961

To: Laurence F. Decker, Chief Engineer, Inland Fisheries & Game

Re: Force Account Projects

We have your request of May 18, 1961, for an opinion with regard to contracts entered into by your department with local contractors to build or repair structures according to departmental plans. You have requested our opinion as to whether or not such contracts must be let out on bid and, if so, whether or not the practice of letting them out without bid would be illegal.

Chapter 15A, Section 26, of the Revised Statutes of 1954, clearly indicates that all contracts for more than three thousand (\$3,000.00) dollars involving any public improvement must be let out to bid. It is our opinion, therefore, that contracts involving local bidders as set forth in your request for an opinion fall under Chapter 15A, Section 26, unless they either (1) involve a total cost of less than three thousand (\$3,000.00) dollars, or (2) are contracts to perform work on a day labor basis, that is, the person to do the work is employed under the provisions of the personnel law.

Thomas W. Tavenner
Assistant Attorney General

twt/m