

# MAINE STATE LEGISLATURE

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J. R. Dyer, Purchasing Agent

Bureau of Purchases

Leon V. Walker, Jr., Assistant

Attorney General

**Competitive Bidding for State Employees**

You have asked whether it is permissible for State employees to bid competitively for either the furnishing of items or services needed by the State or on the sale by the State of surplus items.

There is no conflict of interest since the employees are bidding in the same manner as other bidders. The problem lies in the possibility that an employee may be using time for his personal gain that he should be spending on his regular employment. This is of no consequence in connection with bids for purchase or sale of items, but is troublesome where an employee has been awarded a contract to furnish services. When a State employee bids for a contract to perform services for the State, it should be definitely understood by him that if he is awarded the contract he must perform it at times when he is not required to be performing his regular duties.

You may think it advisable to issue a regulation on this subject containing a requirement that an employee bidding for a contract to sell to the State or to perform services for the State must sign a statement that he will use no time when he is required to be performing his regular duties, either in preparation of the bid or performance of the contract, should it be awarded to him, a copy of which statement shall be sent to his Department Head.

Leon V. Walker, Jr.  
Assistant Attorney General

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