

MAINE STATE LEGISLATURE

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No ✓
July 25, 1966

William T. Logan, Jr., Commissioner

Education

John W. Benoit, Assistant

Attorney General

Change of Contractor for Food Services at Gorham State College

FACTS:

The Maine State Board of Education wishes to discontinue the service of the current food contractor at Gorham State College, Crotty Brothers; and intends to terminate said contract pursuant to applicable provisions of the agreement.

The State Board of Education desires to enter into an agreement with the Slater Company concerning the food service at Gorham State College. The Slater Company currently holds a contract with the State Board of Education for food service at Farmington State College.

QUESTION:

Whether the State Board of Education may enter into a contract with the Slater Company sans resorting to utilization of a bidding procedure?

ANSWER:

Yes.

REASON:

The provisions of 5 M.R.S.A. § 1811, et seq. (specifically § 1816) do not apply to the reference matter. 20 M.R.S.A. § 2305 contains language investing the State Board of Education with the supervision of the State Colleges.

We conclude that the State Board of Education is authorized to contract with a food service firm without first putting the matter to competitive bidding.

John W. Benoit
Assistant Attorney General

JWB/eh