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Schools: Competitive Bidding

20 M.R.S.A. § 309-C

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January 7, 1977

Honorable John L. Martin
Speaker of the House
House of Representatives
State House
Augusta, Maine 04333

Dear Mr. Speaker:

This responds to your request of December 7 in which you asked whether a school administrative district may award a snow removal contract to the same individual it awarded that contract to last year without going to bid. You indicate that the amount of the contract in question is \$1500.

A review of the law relating to school administrative districts indicates no provision which would require competitive bidding in the letting of a snow removal contract in the amount of \$1500. We would note that bidding on any contract with a school administrative district is required where a director of the school administrative district is involved with a contract, 20 M.R.S.A. § 309-C. However, this same section, by implication, assumes that there are many school contracts, including the snow removal contract at issue here, which may be let without bid under normal circumstances.*

Very truly yours,


DONALD G. ALEXANDER
Deputy Attorney General

DGA:mfe

* It should be noted that competitive bidding is required in all activities of a school administrative district where it is disposing of real property and personal property with a value exceeding \$1,000, 20 M.R.S.A. § 307. However, this case involves the purchase of services, not disposal of property. Additionally, school districts may be subject to more stringent competitive bidding requirements imposed by contract or regulation in connection with use of federal or state funds. Without a specific circumstance, we cannot speculate what those requirements might be.