

MAINE STATE LEGISLATURE

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OFFICE OF
THE GOVERNOR

NO. 12 FY88/89

DATE May 1, 1989

AN ORDER
REVISING THE CONTRACT REVIEW COMMITTEE

WHEREAS, agencies of the State Government may award contracts for the procurement of special services as required to carry out the duties and responsibilities of government; and

WHEREAS, it is necessary that such contracts be awarded in an effective, efficient and equitable manner consistent with State financial and procedural standards and guidelines and applicable provisions of Federal law; and

WHEREAS, administrative review of such contract awards is necessary to ensure compliance with such financial and procedural standards and guidelines and provisions of law;

NOW, THEREFORE, I, JOHN R. MCKERNAN, JR., Governor of the State of Maine, do hereby order that the composition of the CONTRACT REVIEW COMMITTEE, heretofore established as the agency for the administrative review and authorization of special services contracts, shall be organized as follows:

The Contract Review Committee shall be composed of the following members of the Departments of Administration and Finance: the State Purchasing Agent, who shall serve as Committee Chairman, the State Budget Officer, the State Controller, and the Deputy Commissioner for Information Services or his designee. In addition to serving as a member of the Committee, the Deputy Commissioner for Information Services or his designee also shall advise the Committee with respect to contracts related to data processing subject to his authority under 5 M.R.S.A. Chapter 158, Subchapter II.

IT IS FURTHER ORDERED that the Committee shall act upon all special services contracts valued at \$25,000 or more and all sole source contracts with a value of \$15,000 or more. Contracts other than sole source valued between \$15,000 and \$25,000 may be approved by both the State Purchasing Agent and the State Budget Officer or their designees. Contracts of less than \$15,000 in value and contracts of the following types having a contract price up to \$25,000 may be approved solely by the State Purchasing Agent:

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- 1) Contracts for renewal or continuation of service where the original contracts were approved by the full Committee and included authority for such renewal or continuation.
- 2) Amendments to contracts approved as above which extend the contract term six months or less and/or increase the contract price less than 20% of the original contract price.
- 3) Contracts for medical/dental and related consultation and/or services.
- 4) Contracts with municipalities and regional planning and development agencies for technical assistance grants.

IT IS FURTHER ORDERED that single source special services contracts be awarded only when the Committee is satisfied that the service needed by the department or agency 1) is available only from a sole source; 2) is of such narrow scope or constraints that the need can be met satisfactorily only by a single source; 3) is of such compelling urgency that government operations would be seriously impaired by the delay inherent in following competitive procedures; or 4) otherwise is the most economical, effective and appropriate means of fulfilling a demonstrated need.

IT IS FURTHER ORDERED that prior to any commitment by an agency of the State Government to an independent contractor for special services, all contracts, proposed contracts and amendments to contracts for special services and bid documents related thereto shall be submitted to the Contract Review Committee for certification of need as well as for determination of compliance with financial and procedural standards and guidelines promulgated by the Departments of Administration and Finance. The Committee may require the provision of any information, modification of form or procedure, or fulfillment of conditions, as it deems appropriate to ensure such compliance before granting approval of any contractual procurement.

The effective date of this Order is May 1, 1989. This Order supersedes Executive Order 18 FY 86/87.



JOHN R. MCKERNAN, JR.
GOVERNOR