

MAINE STATE LEGISLATURE

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OFFICE OF
THE GOVERNOR

NO. 6FY 92-93

DATE November 5, 1992

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 Department of Administrative and Financial Services: the Director of the Division of Purchases, who shall serve as Committee Chairman; the State Budget Officer; the State Controller; and the Director of the Bureau of Information Services or his designee. In addition to serving as a member of the Committee, the Director of the Bureau of 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 contract valued at \$50,000 or more. Contracts of less than \$50,000 in value may be approved solely by the Director of the Division of Purchases, who is authorized to require additional review by one or more additional Committee members, at the Director's discretion.

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 delay inherent in following competitive procedures; or 4) otherwise is the most economical, effective and appropriate means of fulfilling a demonstrated need.

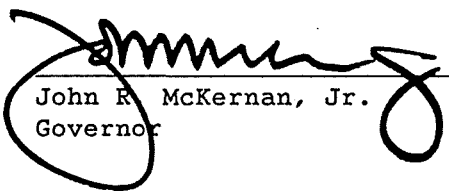
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IT IS FURTHER ORDERED that prior to any commitment by an agency of the State Government to an independent contractor for special services, all contracts, proposed contracts and amendments to contracts for special services and bid documents related thereto shall be submitted to the Contract Review Committee for certification of need as well as for documentation of compliance with financial and procedural standards and guidelines promulgated by the Department of Administrative and Financial Services. 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 November 5, 1992. This Order supersedes Executive Order 12 FY88/89.



John R. McKernan, Jr.
Governor