

MAINE STATE LEGISLATURE

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O N E - H U N D R E D T H L E G I S L A T U R E

Legislative Document**No. 162**

H. P. 122

House of Representatives, January 10, 1961,

Referred to Committee on State Government. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Wade of Skowhegan.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-ONE

AN ACT Relating to Bids for State Purchases.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. R. S., c. 15-A, § 39, sub-§ V, repealed and replaced. Subsection V of section 39 of chapter 15-A of the Revised Statutes, as enacted by section 1 of chapter 340 of the public laws of 1957, is repealed and the following enacted in place thereof:

‘V. Alternate bids. Whenever, in bid forms and specifications, an article or material is defined by using a trade name and catalog number of a manufacturer or vendor, the term “or approved equal”, if not inserted therewith, shall be implied. It is to be understood that any reference to a particular manufacturer’s product either by trade name or by limited description has been made solely for the purpose of more clearly indicating the minimum standard of quality desired. The term “or approved equal” is defined as meaning any other make which in the opinion of the State Purchasing Agent is of such character, quality and performance equivalence as to serve the purpose for which it is to be used equally as well as that specified. Consideration will be given to proposals submitted on alternate commodities to the extent that such action is deemed to serve the best interest of the State. The bidder quoting on a commodity other than as specified shall furnish complete identification, descriptive literature or data with respect to the alternate commodity he proposes to furnish. Lack of such information on the bid shall be construed to mean that the bidder proposes to furnish the exact commodity as described. The State reserves the right to reject any or all bids, in whole or in part, to waive any formality and technicality in any bid and to accept any item or items

in any bid. No bid may be withdrawn during a period of 21 calendar days immediately following the opening thereof;

Sec. 2. R. S., c. 15-A, § 39, sub-§ VIII, repealed and replaced. Subsection VIII of section 39 of chapter 15-A of the Revised Statutes, as enacted by section 1 of chapter 340 of the public laws of 1957, is repealed and the following enacted in place thereof:

'VIII. Tie bids. Tie bids shall be resolved on the basis of factors deemed by the State Purchasing Agent to serve the best interests of the State or by the drawing of lots, provided that price, quality, availability and other factors being equal, contracts or purchases shall be awarded to the in-state bidder or to bidder offering commodities produced or manufactured in the State of Maine, and services rendered by Maine bidders;'