

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1319

H. P. 1095

House of Representatives, March 28, 1977

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

EDWIN H. PERT, Clerk

Presented by Mr. Carter of Winslow.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

**AN ACT Relating to the Procurement of Engineer and Architectural Services
by Competitive Bidding.**

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

5 MRSA § 1751 is enacted to read:

§ 1751. Engineering or architectural services

1. Contracting of services. All agencies, boards, commissions, authorities and departments of the State and all school administrative units within the State, contracting for engineering or architectural services shall adopt the direct fixed-fee bidding procedure set out in this section.

2. Description of proposed project. The agency, board, commission, authority, department or school administrative unit, shall develop a description of the proposed project and the regional services, and this description shall be published in one or more newspapers of general circulation throughout the State. The description shall state that any interested firm shall be duly registered as engineers or architects in the State, and shall be bondable to protect the State from liability.

The description shall further state that any preliminary of a proposed design submitted by a successful bidder, shall indicate that all possible techniques have been utilized to ensure energy conservation, economy and the use of materials consistent with good design.

3. Direct mailing. In addition to the provisions of subsection 2, a project description and all information required to include them, may be mailed di-

rectly to engineering or architectural firms, except that if any direct mailing is made, all eligible firms within the State shall be included in the mailing.

4. Selection of a firm. The selection of a firm shall be on the basis of competitive bidding. The agency, board, commission, authority, department or school administrative unit shall submit the name of the selected firm to the director of the Bureau of Public Improvements along with a tentative contract for approval and shall also submit a list of all other bidders and their bids.

STATEMENT OF FACT

Current law makes no provisions for controlling costs; the higher the construction cost, the higher the design fee. This bill will place the design profession on a competitive basis, with resulting lower costs in both design and construction.