

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1514

S. P. 429

Referred to Committee on State Government and ordered printed.

In Senate, April 12, 1977

Sent down for concurrence

MAY M. ROSS, Secretary

Presented by Senator Morrell of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT Relating to Bidding Procedures Involving the Bureau of Public Improvements.

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

Sec. 1. 5 MRSA § 1743, as last amended by PL 1975, c. 771, § 82, is repealed and the following enacted in its place:

§ 1743. Competitive bids

Any contract for any public improvement in which the State or any of its agencies hold in fee or by lease hold interest, except contracts for professional, architectural and engineering services, shall be awarded by the Department of Finance and Administration through the Bureau of Public Improvements, under a system of competitive bidding in accordance with chapters 141 to 155 and such other conditions and restrictions as the Governor may from time to time prescribe.

Sec. 2. 5 MRSA § 1744 is repealed.

Sec. 3. 5 MRSA § 1745, as last amended by PL 1975, c. 771, § 83, is repealed and the following enacted in its place:

§ 1745. Advertisement for sealed proposals; bonds

The trustees, commissioners or other persons in charge of any public improvement in an amount in excess of \$25,000, which is subject to chapters 141 to 155 shall, after consultation with the Director of Public Improvements, advertise for sealed proposals not less than 2 weeks in such papers as the Governor may direct. The last advertisement shall be at least one week before the time named therein for the closing of such bids. Sealed proposals for any

public improvements shall be addressed to the trustees, commissioners or such other persons having the construction in charge and shall remain sealed until opened at the time and place stated in the advertisement or as the Governor may direct.

No contract in an amount in excess of \$25,000, shall be awarded unless the faithful performance thereof shall be secured by a bond in the penal sum of not less than 20% of the amount of the contract, payable to the State and deposited with the Treasurer of State.

STATEMENT OF FACT

The purpose of this bill is to:

1. Clarify the procedure for advertisement and opening of bids for contracts.
2. Clarify the responsibility of the Bureau of Public Improvements relating to public improvements funded through "grants."
3. Permits the Bureau of Public Improvements discretion in requiring performance and payment bonds in contracts of less than \$25,000.
4. Deletes the requirement for alternate prices on Maine granite products.