

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

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ONE HUNDRED AND TENTH LEGISLATURE

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**Legislative Document**

**No. 121**

H. P. 74

House of Representatives, January 6, 1981

Referred to the Committee on Public Utilities. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Callahan of Mechanic Falls.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

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**AN ACT Relating to Bids for Public Utility Construction Projects.**

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

**35 MRSA § 14-A**, as enacted by PL 1973, c. 476, § 1, is repealed and the following enacted in its place:

**§ 14-A. Competitive bids**

**Any contract in excess of \$10,000, between a public utility and a contractor for the construction of facilities located within the State, shall be awarded by a system of competitive bidding. Unless there are valid reasons to the contrary, the contracts shall be awarded to the lowest reponsible bidder.**

**Information regarding the bidding for construction projects shall include the time and place designated for the receipt of bids, at which designated time and place the bids shall be opened and read in the presence of those persons who have prepared and submitted the bids and who desire to attend the opening.**

## STATEMENT OF FACT

The preparation of a construction bid is a time-consuming process and not without cost to the bidder. Industry practice usually provides the bidder with the opportunity to attend the bid opening to learn how his bid compares with his competition and whether or not his bid will be considered for award. Some public utilities in Maine have elected to hold private bid openings, barring bidders from attendance and withholding the publication of bid results.

This bill would require public utilities to award all construction contracts in excess of \$10,000 by a system of competitive bidding and to provide the bidders the opportunity to attend the bid openings if they so desire.