

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 889

H. P. 752

House of Representatives, February 17, 1981

On Motion of Representative LaPlante of Sabattus referred to the Committee on Local and County Government. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Armstrong of Wilton.

STATE OF MAINE

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

AN ACT to Exempt Certain Services Provided Counties from Bid Requirements.

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

30 MRSA § 304, as amended by PL 1979, c. 3, §§ 2 and 3, is repealed and the following enacted in its place:

§ 304. Bids, awards and contracts

1. **Construction; renovation; improvement.** Any contract for construction, renovation or improvement of county buildings or facilities involving a total cost of \$2,500 or more shall be awarded by a system of competitive bidding.

2. **Services; supplies; materials; equipment.** The county commissioners shall make all purchases over \$500 of services, supplies, materials and equipment needed by the county, or any department or agency thereof, by competitive bidding. Title 5, section 1816 shall govern those purchases as far as applicable. The following purchases may be made without competitive bidding:

A. The county commissioners may purchase over \$500 of legal, medical and dental services and other professional services dealing in intangibles, including, but not limited to, surveying, soil analysis, consulting, insurance and accounting services, without competitive bidding; and

B. When the county commissioners determine that over \$500 of emergency services, supplies, materials and equipment are needed the purchase may be made without competitive bidding.

STATEMENT OF FACT

The purpose of this bill is to exempt certain purchases made by counties from bid requirements.

The current statute requires that all services provided a county at a cost of \$500 or more must be purchased through bidding. Certain professional and intangible services, for example the provision of medical care for a prisoner, are not well suited to purchase by bid. This bill permits the county to avoid the bid requirement for legal, medical, dental and other professional services dealing in intangibles.

Also under the requirements of the current statute, if a county needs emergency repair work, for example if a road is washing out, and the work will cost \$500 or more, the county must seek bids before purchasing the needed services and materials. This bill permits the county to avoid the bid requirement in emergency situations, allowing the county to respond to a repair problem more quickly.