MAINE STATE LEGISLATURE

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1   (New Draft of S.P. 310, L.D. 924)

2   FIRST REGULAR SESSION
3   _____

4   ONE HUNDRED AND ELEVENTH LEGISLATURE
5

6   Legislative Document   No. 1316
7

8   S.P. 437   In Senate, March 24, 1983
9
        Reported by Senator Baldacci of Penobscot from the Committee on State
    Government and printed under Joint Rule 2.
10

11   JOY J. O'BRIEN, Secretary of the Senate

12   _____

13   STATE OF MAINE
14   _____

15   IN THE YEAR OF OUR LORD
16   NINETEEN HUNDRED AND EIGHTY-THREE
17

18   AN ACT Concerning the Guidelines for
19   State Contract Process and Appeal of
20   Decisions.
21

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

24   5 MRSA c. 156 is enacted to read:

25   CHAPTER 156

26   DEPARTMENT CONTRACTS AND APPEAL OF DECISIONS

27   §1831. Rules for competitive bid process

28   1. Adoption of rules. Every department or agency
29   of State Government, subject to chapters 141 to 155,
30   shall be required to adopt rules for the   competitive
31   bid process in accordance with the Maine Administra-
32   tive Procedure Act, chapter 375. The rules   shall be

1   reviewed and approved by the State Purchasing Agent
2   prior to their adoption. The rules shall include, but
3   not be limited to, the following:

4   A. Criteria for the notification procedure to
5   inform prospective bidders about contracts for
6   which bids are being requested;

7   B. Criteria by which bid applications shall be
8   reviewed;

9   C. Criteria for the selection of bids for any
10   additional review prior to any award of con-
11   tracts;

12   D. Criteria for the award of a contract;

13   E. Definition of the procedure by which a
14   person, aggrieved by the decision of a department
15   or agency under this chapter, may appeal the
16   decision; and

17   F. Criteria for the review of any decision that
18   has been appealed under this chapter.

19   STATEMENT OF FACT

20   The purpose of this new draft is to require each
21   department and agency of State Government to define,
22   by rule, the contract bidding process that each
23   department shall follow. The bill intended not to re-
24   quire the Department of Finance and Administration to
25   define the process for each department. The cost of
26   the bill to fund the Department of Finance and Admin-
27   istration to undertake this task would have been too
28   great.

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