

MAINE STATE LEGISLATURE

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DRIC
ROFS

L.D. 397

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Date: 5-31-11

(Filing No. S- 187)

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EDUCATION AND CULTURAL AFFAIRS

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STATE OF MAINE

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SENATE

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125TH LEGISLATURE

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FIRST REGULAR SESSION

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COMMITTEE AMENDMENT "A" to S.P. 110, L.D. 397, Bill, "An Act To Amend the Laws Governing Competitive Bidding for School Construction and Repair"

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Amend the bill in section 1 in §1743-A in the first paragraph in the 3rd line (page 1, line 7 in L.D.) by inserting after the following: "services" the following: 'and contracts for energy conservation services in accordance with Title 20-A, section 15915'

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Amend the bill in section 1 in §1743-A by adding at the end the following:

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'When a contract requires that maintenance and service following completion of a project be provided by the person responsible for the construction, major alteration or repair of that project, the cost for the ongoing maintenance and service must be included in determining the total cost of the project and the need to award the project by competitive bid. When a school administrative unit enters into 2 or more contracts for construction, major alteration or repair of school buildings within a 6-month period and the total of those projects exceeds \$250,000, the contracts for those projects must be awarded by competitive bid.'

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SUMMARY

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This amendment clarifies that contracts for energy conservation services in compliance with the Maine Revised Statutes, Title 20-A, section 15915 are exempt from competitive bid requirements.

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It requires that when a contract includes ongoing service and maintenance by the person responsible for a competitive bid process are for construction, major alteration or repair of the school buildings, the cost service and repair must be included when calculating the total cost of the project to determine if competitive bidding is required. It also requires a school administrative unit to use a competitive bid process if 2 or more contracts totaling more than \$250,000 are to be entered into within a 6-month period.

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COMMITTEE AMENDMENT