

MAINE STATE LEGISLATURE

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EIGHTIETH LEGISLATURE

HOUSE

NO. 62

House of Representatives, February 8, 1921.

Referred to Committee on Ways and Bridges and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Case of Lubec.

STATE OF MAINE

**IN THE YEAR OF OUR LORD ONE THOUSAND
NINE HUNDRED AND TWENTY-ONE**

AN ACT to Amend Section Ten, Chapter Twenty-five, of the Revised Statutes, as Amended by Section Three, Chapter Two Hundred and Fifty-eight, of the Public Laws of Nineteen Hundred and Seventeen, Providing for the Deposit of Surety Bonds or Certified Checks with Bids for State Highway Work.

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

Section ten of chapter twenty-five of the revised statutes, 2 as amended by section three of chapter two hundred and 3 fifty-eight of the public laws of nineteen hundred and seven- 4 teen, is hereby amended by inserting after the word "check" 5 in the twelfth line of said section as amended, the words

6 'or surety bond.' Said section is further amended by in-
7 serting after the word "checks," the first word in the fif-
8 teenth line, the words 'or surety bonds,' and said section
9 is further amended by inserting after the word "check,"
10 the last word in the fifteenth line of said section as amended,
11 the words 'or bond,' so that said section as amended shall
12 read as follows:

'The commission shall have full power in the letting of
2 all contracts for the construction of all state and state-
3 aid highways except as elsewhere herein otherwise pro-
4 vided. The commission shall make all surveys, plans, es-
5 timates, specifications and contracts for all proposed work,
6 and shall, except as otherwise provided in this chapter,
7 advertise for bids for the same in two or more public news-
8 papers printed wholly or in part in the state, also in one
9 public newspaper printed wholly or in part in the county
10 where the proposed work is to be done, if any such news-
11 paper is so printed in such county; such advertisement shall
12 state the place where the bidders may examine the plans
13 and specifications, and the time and place where the bids
14 for such work will be received by the commission. Each
15 bidder must accompany his bid with a certified check or
16 surety bond, payable to the treasurer of state, for ten per
17 cent. of the amount of his bid as a guarantee that if the
18 work is awarded to him he will contract with the commis-
19 sion for its due execution; such checks or surety bonds
20 shall be returned to the respective unsuccessful bidders.

21 The check or bond of the successful bidder shall be re-
22 turned to him upon the execution and delivery to the com-
23 mission of his contract and his bond with sufficient sure-
24 ties, in terms satisfactory to the commission for the due
25 execution of such work. All bids so submitted shall be
26 publicly opened, read and posted at the time and place
27 stated in such advertisement. The commission shall have
28 the right to reject any and all bids if in its opinion good
29 cause exists therefor, but otherwise it shall award the con-
30 tract to the lowest responsible bidder. Any town may
31 submit bids for state and state aid highway construction
32 within its limits, and shall be subject to all requirements
33 prescribed for other contractors, except that no bond need
34 be required of it. If all bids for work under this chapter
35 are rejected, or if no bids are received, the commission may
36 perform said work by any method which the governor and
37 council approve. The commission may, however, with the
38 approval of the governor and council, let contracts for state
39 highway construction, or do the same, for and in behalf
40 of the state without advertising for bids if the same shall
41 be for the best interests of the state. The commission
42 shall have full power in all matters relating to the fur-
43 nishing of bonds by the successful bidders for the comple-
44 tion of their work and fulfilling of their contracts, and for
45 the protection of the state and town from all liability aris-
46 ing from damage or injury to persons or property. The
47 commission after making surveys, plans and estimates for

48 proposed construction of state aid highways in a town
49 may when deemed by said commission advisable, make
50 contracts with such town according to said survey and
51 specifications and upon terms satisfactory to and under
52 control of the commission without advertising said con-
53 tracts for bids.'