

MAINE STATE LEGISLATURE

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NEW DRAFT

E I G H T Y - S I X T H L E G I S L A T U R E

Legislative Document

No. 924

H. P. 1598

House of Representatives, March 15, 1933.

Reported by Mr. Chase of Baring from Committee on Legal Affairs and laid on table to be printed under Joint Rules.

HARVEY R. PEASE, Clerk.

New Draft of H. P. 872, L. D. 350.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED THIRTY-THREE

AN ACT Providing a Purchasing Agent for the Town of Sanford.

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

Sec. 1. Purchasing agent; appointment of. The board of selectmen of the town of Sanford, after its election and qualification, may at any time appoint a purchasing agent, and such appointee shall be immediately notified of his appointment and shall appear before the town clerk within 3 days thereafter and qualify by taking his oath of office, which oath shall be recorded by the town clerk. The board of selectmen may appoint any one of its members as such purchasing agent, and until such appointment and qualification, or in the event of a failure to appoint, or in the event of the failure to qualify by the appointee, then the chairman of the board of selectmen shall be the purchasing agent by virtue of his chairmanship.

Sec. 2. Supplies, purchase of. The purchasing agent shall purchase all supplies for the town and for the several officers and boards thereof, except the supplies for the schools, which school supplies he shall purchase only upon requisition of the superintending school committee.

Sec. 3. Delivery of supplies; sale of property. The purchasing agent shall see to the delivery of supplies to each officer and department to whom they belong and take and file receipts therefor. He shall conduct all sales of the property belonging to the town which is unfit or unnecessary for the

town's use, but only after such sale is authorized by said town and subject to such restrictions as the town may provide.

Sec. 4. Expenditures. All expenditures for supplies, material or equipment, the estimated cost of which is over \$500, shall be awarded on written contract. Notices inviting sealed competitive bids shall be published at least once in a newspaper published in said town of Sanford, or if no newspaper is published in the town of Sanford, in a newspaper published in the county of York, and at least 3 calendar days must intervene between the date of the last publication and the final date for submitting the bids.

Sec. 5. Bids; filing of bond. All bids shall be submitted sealed to the town purchasing agent and shall be opened in public at the time and place stated in the newspaper notices. The town purchasing agent may, with the approval of the board of selectmen, reject any or all bids when the public interest will be served thereby. When all bids received are for the same total amount or unit price, and when the public interest will not permit the delay of re-advertising for bids, the purchasing agent may purchase the commodities in the open market, provided the price paid in the open market shall not exceed any bid price submitted for the same commodity. Otherwise the contract shall be awarded to the lowest and best bidder; quality offer with bid, delivery terms and service reputation of the vendor may be taken into consideration in determining the successful bidder. The purchasing agent may, if he considers it necessary, require the successful bidder to file a bond, certified check or cash, for the faithful performance of the contract, if such requirement is specified in the advertisement for bids.

Sec. 6. Purchases may be made in open market, when. All expenditures for supplies, material or equipment, the estimated cost of which is less than \$500, may be purchased in the open market without advertising, and in case of an emergency which requires the immediate purchase of supplies, materials or equipment, the board of selectmen may authorize the purchasing agent to secure the same in the open market, regardless of the amount of the expenditures, providing, however, that the records of the board of selectmen shall show the circumstances under which such authorization is made.

Sec. 7. Direct purchase by using agency in case of emergency. In case of emergency, any using agency may purchase directly any supplies of materials and equipment, whose immediate procurement is essential to the continuance of the work of the using agency concerned. The head of such using agency, under such emergency, shall send to the purchasing agent a copy of such emergency purchases, together with a full explanation of the circumstances of the emergency. The purchasing agent shall by rules

and regulations prescribe the procedure under which such emergency purchases may be made.

Sec. 8. Inconsistent acts repealed. All ordinances of the town of Sanford inconsistent with this act are hereby repealed.