

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

AS PASSED BY THE

One Hundredth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with  
the Revised Statutes of 1954, Chapter 10, Section 27, Subsection VI.

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

As Passed by the One Hundredth Legislature

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'Before interest of said fund is so distributed to the treasurers of such plantations an amount equalling 15% of the determined total interest sum on the accrued principal fund shall be allocated annually to the Forest Commissioner for use in managing and improving the forest growth of the public reserved lots in said organized plantations.'

Effective September 16, 1961

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## Chapter 10

### AN ACT Relating to Bids for State Purchases.

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

Sec. 1. R. S., c. 15-A, § 39, sub-§ V, repealed and replaced. Subsection V of section 39 of chapter 15-A of the Revised Statutes, as enacted by section 1 of chapter 340 of the public laws of 1957, is repealed and the following enacted in place thereof:

'V. Alternate bids. Whenever, in bid forms and specifications, an article or material is defined by using a trade name and catalog number of a manufacturer or vendor, the term "or approved equal", if not inserted therewith, shall be implied. It is to be understood that any reference to a particular manufacturer's product either by trade name or by limited description has been made solely for the purpose of more clearly indicating the minimum standard of quality desired. The term "or approved equal" is defined as meaning any other make which in the opinion of the State Purchasing Agent is of such character, quality and performance equivalence as to serve the purpose for which it is to be used equally as well as that specified. Consideration will be given to proposals submitted on alternate commodities to the extent that such action is deemed to serve the best interest of the State. The bidder quoting on a commodity other than as specified shall furnish complete identification, descriptive literature or data with respect to the alternate commodity he proposes to furnish. Lack of such information on the bid shall be construed to mean that the bidder proposes to furnish the exact commodity as described. The State reserves the right to reject any or all bids, in whole or in part, to waive any formality and technicality in any bid and to accept any item or items in any bid. No bid may be withdrawn during a period of 21 calendar days immediately following the opening thereof;'

Sec. 2. R. S., c. 15-A, § 39, sub-§ VIII, repealed and replaced. Subsection VIII of section 39 of chapter 15-A of the Revised Statutes, as enacted by section 1 of chapter 340 of the public laws of 1957, is repealed and the following enacted in place thereof:

'VIII. Tie bids. Tie bids shall be resolved on the basis of factors deemed by the State Purchasing Agent to serve the best interests of the State or by the drawing of lots, provided that price, quality, availability and other factors being equal, contracts or purchases shall be awarded to the in-state bidder or to bidder offering commodities produced or manufactured in the State of Maine, and services rendered by Maine bidders;'

Effective September 16, 1961