



# 126th MAINE LEGISLATURE

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Legislative Document

No. 1295

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H.P. 922

House of Representatives, April 2, 2013

**An Act To Require the Use of Preapproved Subcontractors for  
Publicly Funded Construction Projects**

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Reference to the Committee on State and Local Government suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative DeCHANT of Bath.  
Cosponsored by Representatives: GILBERT of Jay, SHORT of Pittsfield.

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

2 **Sec. 1. 5 MRSA §1743-D** is enacted to read:

3 **§1743-D. Preapproved subcontractors**

4 **1. Subcontractor chosen from preapproved list.** A proposer, as defined in section  
5 1743, that is awarded a capital improvement contract subject to competitive bidding in  
6 accordance with this subchapter with a value greater than \$100,000 and that included in  
7 its bid the use of a subcontractor must be assigned a subcontractor from a list of approved  
8 subcontractors compiled by the Director of the Bureau of General Services as described  
9 in this section. If the work of the subcontractor included in the proposer's bid has a  
10 good-faith estimate value of \$10,000 or less, the proposer may use a subcontractor of the  
11 proposer's choosing.

12 **2. Compilation of preapproved subcontractor list.** The Director of the Bureau of  
13 General Services shall submit a general request for proposals for the components of  
14 future capital improvement projects listed in subsection 3. The form for a general request  
15 for proposals may be determined by the director. The request for proposals must indicate  
16 that the bidder is seeking to be included among a list of preapproved subcontractors to be  
17 selected to complete a component of capital improvement projects, as listed in subsection  
18 3, for which future contracts may be awarded. The subcontractor bids must be submitted  
19 in a manner that allows the director to estimate the cost to complete the subject  
20 component of a capital improvement project. A subcontractor that submits a bid to be  
21 included on the preapproved list may indicate any general contractors with whom it  
22 prefers to work and any general contractors with whom it chooses not to work.

23 **3. Project components subject to selection from preapproved list.** The Director  
24 of the Bureau of General Services shall compile a list of approved subcontractors for the  
25 following components of capital improvement projects:

- 26 A. Roofing and flashing;
- 27 B. Waterproofing, damp-proofing and caulking;
- 28 C. Lathing and plastering;
- 29 D. Marble;
- 30 E. Terrazzo;
- 31 F. Heating, ventilation and air conditioning;
- 32 G. Painting;
- 33 H. Masonry;
- 34 I. Glass and glazing;
- 35 J. Plumbing;
- 36 K. Electrical;
- 37 L. Elevators;

