

**§1825-K. Application of state purchasing code of conduct to certain bidders seeking contracts as part of competitive bid process; affidavit required**

**1. Application.** This subchapter applies to competitive bids for sale of apparel, footwear or textiles pursuant to subchapter 1-A.

[PL 2005, c. 554, Pt. A, §1 (NEW).]

**2. Definitions.** As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

A. "Code of conduct" means the state purchasing code of conduct that follows the principles set out in section 1825-L. [PL 2005, c. 554, Pt. A, §1 (NEW).]

B. "Independent monitor" means a not-for-profit organization that is neither funded nor controlled, in whole or in part, by businesses that sell or manufacture apparel, footwear or textiles. [PL 2005, c. 554, Pt. A, §1 (NEW).]

[PL 2005, c. 554, Pt. A, §1 (NEW).]

**3. Availability of copy of code of conduct.** The Chief Procurement Officer shall make a copy of the state purchasing code of conduct available to all bidders subject to this subchapter.

[PL 2023, c. 516, Pt. B, §29 (AMD).]

**4. Affidavit requirement.** The Chief Procurement Officer may not accept a bid for the sale of goods covered by this subchapter unless:

A. Prior to the close of the bidding deadline, the bidder has filed with the officer a signed affidavit, executed and filed by a person authorized to commit the bidder to the code of conduct, stating:

(1) That the bidder will comply with the code of conduct;

(2) That the bidder has furnished a copy of the code of conduct to each supplier at the point of assembly of the goods subject to the bid process and required that each supplier inform the bidder of whether the supplier is in compliance with the code of conduct; and

(3) That, to the best of the bidder's knowledge, each supplier at the point of assembly of the goods subject to the bid process is in compliance with the code of conduct; and [PL 2023, c. 516, Pt. B, §30 (AMD).]

B. The bidder has submitted a list of the names and addresses of suppliers at the point of assembly of goods subject to the bid process. [PL 2005, c. 554, Pt. A, §1 (NEW).]

[PL 2023, c. 516, Pt. B, §30 (AMD).]

**5. Affidavit update requirement.** If, after complying with the filing requirements of this section, a bidder is awarded a contract, that contractor must, during the term of the contract, promptly inform the Chief Procurement Officer of any change in the information furnished in the affidavit submitted at the time of the original bid and must submit a new, updated affidavit that conforms with the requirements of subsection 4.

[PL 2023, c. 516, Pt. B, §31 (AMD).]

**SECTION HISTORY**

PL 2001, c. 439, §NNNN1 (NEW). PL 2005, c. 554, §A1 (RPR). PL 2023, c. 516, Pt. B, §§29-31 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Legislature and is current through October 15, 2024. The text is*

*subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.