

*Town of Lamoine, Maine*  
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## Policy Regarding Assignment of Road Maintenance Activities

- I. **Purpose**
  - a. The purpose of this policy is to provide guidance to appointed town staff with regard to the assignment of road maintenance projects to contractors. The goal of the policy is to arrange for repair of public roads in a timely manner at a favorable cost to the community
- II. **Priorities**
  - a. Timeliness – The chosen contractor shall be able to perform the assigned activity within a time frame required by the authorizing town official(s).
  - b. Local Preference – The authorizing town official(s) will grant first consideration to contractors with their home business address within the Town of Lamoine.
  - c. Ability to Perform – The authorizing town official(s) will assign projects only to contractors with a demonstrated ability to perform the work being assigned.
  - d. Cost – The authorizing town official(s) shall assign the work to the qualified contractor that will be able to perform the job for the least cost to the town, and in a timely manner. If necessary a cost/benefit analysis will be performed to determine the most favorable cost, with preference as per item “II b” above.
- III. **Authority**
  - a. The Board of Selectmen has authority to make policy necessary for the operation of the Town. This policy is made pursuant to 30-A MRSA § 2001 et seq and Article VII of the Maine Constitution.
  - b. Selectmen have authority to assign, without the competitive bidding process, projects expected to cost less than \$5,000.00
  - c. The Road Commissioner has the authority to assign emergency repair projects without utilizing the competitive bidding process; to assign projects, if directed by the Board of Selectmen, expected to cost less than \$5,000.00, and to assign, without Selectman authorization, using priorities outlined in II above for projects expected to cost less than \$500.00.
- IV. **Scope**
  - a. This policy applies to road maintenance activities to be performed on the local, town maintained roads of the Town of Lamoine. The policy does not limit the ability of the chosen contractor to hire subcontractors to perform portions of the assigned job. The policy

also applies to any maintenance activities to be performed by the town on State Highways (i.e. snow removal). If projects are to be assigned for federally or state funded projects, policies of such agencies shall prevail.

V. **Policy**

- a. Project identification – The Road Commissioner shall prepare a basic description and estimated cost for each project, identifying the scope of work, the goal of such project, the estimated cost of the project, and the timeline in which the project is to be completed.
- b. Submission – Each project will be submitted to the Board of Selectmen through the Administrative Assistant.
- c. List of Pre-Approved Contractors – The Road Commissioner shall prepare a list of qualified contractors and file said list annually with the Board of Selectmen. The list will consist of the contractor's name, address, known equipment inventory, Tax ID number, proof of insurance, and a listing of customary and usual charges. The Road Commissioner, in conjunction with the Administrative Assistant, shall annually poll known contractors as to whether they wish to be considered for project work.
- d. Assignment – There are 3-levels of assignment. Road Commissioner authorized assignment may be made for projects expected to cost no more than \$500. Selectmen authorized assignments may be made for projects costing between \$500 and \$5,000. Such assignments will be voted on at a public meeting, and the Road Commissioner directed to inform the assigned contractor of the award and expectations. Selectmen reserve the right to delegate the assignment process to the Road Commissioner through a public vote. All projects expected to cost greater than \$5,000 shall be awarded on a bid basis as per town policy.
- e. Project oversight – Unless otherwise contracted, the Road Commissioner shall oversee performance of all assigned projects. Upon successful completion, the Road Commissioner shall inform the town treasurer, who will be authorized to place payment on the next town expenditure warrant for payment approval.

VI. **Severability**

- a. If any section of this policy is found to be illegal or unconstitutional it shall not render the rest of the policy unenforceable.

VII. **Definitions**

- a. Road Maintenance – Any work performed for remuneration on the public roads of Lamoine

- b. Emergency – A situation that presents an immediate threat to life or property, said threat which left untreated will continue to present a danger to the public.
- c. Road Commissioner – The duly appointed and sworn Road Commissioner of the Town of Lamoine
- d. Administrative Assistant – The duly appointed and sworn Administrative Assistant to the Board of Selectmen of Lamoine
- e. Contractor – a person or business engaged in the usual business of performing services and employing personnel and purchasing required supplies to be used in the execution of said business.
- f. Project – An activity to be performed on the public roads of the Town of Lamoine with definite parameters with prior approval from the Road Commissioner or Board of Selectmen.

VIII. **Effective Date**

- a. This policy is effective immediately as of the date of passage and signature by the Board of Selectmen

IX. **Signature**

- a. We, the duly elected and sworn Municipal Officers of the Town of Lamoine hereby adopt this policy on \_\_\_\_\_, 2009.

Signed,

\_\_\_\_\_, S. Josephine Cooper, Chair

\_\_\_\_\_, Cynthia Donaldson

\_\_\_\_\_, Richard Fennelly, Jr.

\_\_\_\_\_, Gary McFarland

\_\_\_\_\_, Kermit Theall

*The Lamoine Board of Selectmen*

Attest: A True Copy: \_\_\_\_\_  
 Stuart Marckoon, Deputy Town Clerk

Copies to: Road Commissioner, Town Clerk, Treasurer - file