

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Extend the Alternative Delivery Methods Pilot Program for Certain School Construction Projects

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

Sec. 1. P&SL 1999, c. 79, §9, last ¶, as enacted by P&SL 2001, c. 54, §2, is amended to read: The 22 projects described in this section must be scheduled for completion by 2005, the intent of this lawsection being the creation of a 5-year pilot or study program.

Sec. 2. P&SL 1999, c. 79, §9-A is enacted to read:

Sec. 9-A. Additional eligible projects. After May 1, 2006, no more than 10 projects may be approved under the provisions of this section. A school administrative unit seeking to use an alternative delivery method for a school construction project subject to approval under section 11 of this Act may employ any one of the following methods in undertaking a school construction project that is locally funded, has a minimum total project cost of \$2,500,000 and has an executed contract between the school administrative unit and the project designer dated prior to August 1, 2009: 1. The construction-manager-advisor method; 2. The design-build method; and 3. The construction-manager-at-risk method.

Sec. 3. P&SL 1999, c. 79, §12, 2nd ¶, as enacted by P&SL 2001, c. 54, §3, is amended to read: The Commissioner of Education and the Commissioner of Administrative and Financial Services shall establish an assessment team to assess the 5-year pilot program established under this Act. The assessment team evaluation must be conducted as follows.

Sec. 4. P&SL 1999, c. 79, §12, sub-§3, first ¶, as enacted by P&SL 2001, c. 54, §3, is amended to read: 3. In analyzing the relative merits of the traditional method and the alternative methods employed for school construction under this 5-year pilot program, the assessment team shall consider the following factors:

Sec. 5. P&SL 1999, c. 79, §12, sub-§5 is enacted to read: 5. The assessment team must be reconvened no later than July 1, 2008 and shall report the findings and recommendations from its assessment, including any recommended legislation, to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs no later than December 12, 2008. The joint standing committee of the Legislature having jurisdiction over education and cultural affairs may report out a bill to the First Regular Session of the 124th Legislature to implement the recommendations of the assessment team.

Sec. 6. Retroactivity. This Act applies retroactively to May 1, 2006.

SUMMARY

This bill is reported out by the Joint Standing Committee on Education and Cultural Affairs pursuant to Private and Special Law 2001, chapter 54, section 3. The bill extends the pilot program for using alternative delivery methods for school construction by authorizing an additional 10 school construction projects. The additional projects must be locally funded school construction projects, must

have a minimum total project cost of \$2,500,000 and must have an executed contract between the school administrative unit and the project designer dated prior to August 1, 2009.

The bill also directs the assessment team to review these additional projects and report its findings and recommendations on the pilot project no later than December 12, 2008 to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs. The joint standing committee of the Legislature having jurisdiction over education and cultural affairs may report out a bill to the First Regular Session of the 124th Legislature to implement the recommendations of the assessment team.

FISCAL NOTE REQUIRED
(See attached)