

Jesse Lamarre-Vincent  
Cumberland  
LD 817

Testimony of Jesse Lamarre-Vincent  
MSAD51 School Board Member and Chair of Turf Field Building Subcommittee  
Senator Rafferty, Representative Murphy and Honorable Members of the Education  
and  
Cultural Affairs Committee,

Good afternoon, I am speaking today in support of LD 817, An Act to Remove Restrictions That Prohibit School Administrative Units from Making Purchases Through Cooperatives. My name is Jesse Lamarre-Vincent; I am a resident of Cumberland Maine, and a School Board member for MSAD 51. This last year I headed the Turf Subcommittee examining our options for the installation of an artificial turf field as part of our voter approved One Campus project.

During our work as a Turf Subcommittee we met with several large turf vendors who presented their product offerings. In the course of these presentations all vendors encouraged us to use a buying cooperative in order to have more control over the ultimate product we would receive, to ensure that we were getting the best possible competitively bid price, and save ourselves time from having to bid it out ourselves. As chair, I looked into these cooperatives, such as SourceWell, OMNIA Partners, or TIPS-USA. They are non-profit organizations which allow other non-profits or school districts to “piggy-back” on contracts that they have advertised, received competitive bids for, reviewed, and awarded. These organizations create economies of scale for smaller non-profit and education organizations, as well as streamline the process by doing much of the same administrative work ahead of time. They seek to follow a process that is as strict as the competitive bidding requirements that are required by their member organizations in almost every state, and have documentation of the steps they follow for their members to meet these requirements.

Several municipal school districts in our area have utilized these buying cooperatives for recent artificial turf field purchases, including the towns of Falmouth and Cape Elizabeth.

It came as a bit of a shock to us on the Committee when we were advised by our legal counsel that we could not utilize these cooperatives, as municipal school districts can and do, for large purchases such as an artificial turf field. These cooperatives ensure that their members are getting better pricing and have less administrative work to do in bidding out these types of contracts themselves. Imagine the pricing difference for a small school district versus a nationwide organization with thousands of members. Typical savings for going through these cooperatives is 5-10% of the total project cost. For a turf field purchase of \$800,000 for example, this could potentially save a district \$40,000-\$80,000.

The crux of the issue seems to be that while the ability to use a cooperative agreement is already in Maine law in Section 2203 under Joint Use of Powers statute, it conflicts with Section 1743-A which requires “Any contract for the construction, major alteration or repair of school buildings involving a total cost in excess of \$250,000, except contracts for professional, architectural and engineering services and contracts for energy conservation services in accordance with Title 20-A, section 15915, must be awarded by competitive bids.” Our legal counsel believed that it is possible that a court might interpret Section 1743-A to require competitive bidding for an athletic field, and therefore advised against our school district buying through a cooperative.

Let me be clear that because these buying cooperatives have a competitive solicitation, review, and award process they already largely meet the intent of Section 1743-A, whether an athletic field is interpreted to be a building or not.

This bill, LD 817, would make clear that Regional School Units, such as MSAD51, have the same ability as municipal school districts to use the process already outlined

in the Joint Use of Powers statute to enter into an agreement with a buying cooperative. This would save districts such as ours considerable time and money on very expensive projects, such as an artificial turf field.

Had our School Administrative District had the clarity that this bill offers, we would have been assured that we received the best price, the product we desired, and had a contract executed without weeks of needless paperwork and administration. LD 817 would make available to all School Administrative Districts purchasing options that are in line with that of all Municipal school districts.

Thank you for your time. I am happy to answer any of your questions.