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Testimony of Representative Vicki Doudera presenting

**LD 1494, Resolve, Directing the Office of Procurement Services to Study
Adapting the Procurement Process to the State Climate Action Plan**

Before the Joint Standing Committee on State and Local Government

Good afternoon, Senator Baldacci, Representative Salisbury, and honorable members of the Joint Standing Committee on State and Local Government. My name is Vicki Doudera and I represent House District 41, Camden and Rockport. I am here before you today to present **LD 1494, Resolve, Directing the Office of Procurement Services to Study Adapting the Procurement Process to the State Climate Action Plan.**

Last year, a boat building business in my district reached out to me because they saw that one of our state's departments planned to order a fleet of boats built in Washington state. Those boats would then be shipped to Maine. My constituent wondered why the state would choose to have boats built clear across the country when a Maine boatbuilder could make them right here and just as economically. I reached out immediately to the state and explained the situation. Fortunately, there was still time, thanks to the appeal process, for my constituent to submit a bid and be considered for the job.

This experience got my wheels turning. I learned that the State of Maine expends a lot of money through the procurement process and contracts – I'm told a total value of \$250 million per year. The procurement statutes don't just apply to the Department of Administrative and Financial Services (DAFS), they affect every department and agency of our state government. State contracts are a significant potential revenue stream for those business entities and organizations that bid. And because contracts are lucrative, the underlying integrity of the procurement process needs to be maintained when changes are made, or the process could suffer and appeals filed at a higher frequency. I learned that appeals, such as what my constituent filed, are a normal part of the procurement process, and currently the state has a very low appeal rate. That's good, because DAFS does not have the staff capacity for that appeals rate to increase, and none of the parties involved in the procurement process appreciate how appeals can add significant delays in spending.

Armed with this knowledge, I reached out to DAFS regarding the Washington state boats, with questions about how the procurement process works with regard to climate considerations like

carbon emissions. Of course, cost should always be a critical factor when the Office of Procurement reviews requests for proposals for goods and services, but shouldn't our state's climate action plan at least be considered and factored in? After all, if something can save us carbon emissions because it is made in Maine or nearby, not only are we not wasting money (and energy) to ship it across the country, but perhaps we are also employing Mainers to create the product. Isn't that a win for everyone?

Naturally, I hit on the perfect solution: legislation!

I spoke to the very helpful Director of Legislative Affairs, Anya Trundy, for the Department of Administrative and Financial Services (DAFS), who listened to my ideas and concerns. I asked her how we could add the lens of climate change to the procurement process. She suggested that if my goal was informed and thoughtful statutory changes to the procurement statutes, changes that hopefully avoided any unintended consequences, I should turn my hazy vision of an Act into a Resolve and request that the Department, and more specifically, the Office of Procurement, coordinate with various state agencies to study adapting the procurement program to the state climate action plan and to report back its findings to the committee of jurisdiction. That committee might then report out a bill related to the findings in the Second Regular Session of the 132nd Legislature. Anya's smart and sound suggestion is before you: LD 1494.

I want to reiterate that I know cost is a huge factor – undoubtedly the biggest factor – in procurement of goods and services. It is for me at my home as well. But there is also a cost when I order an inexpensive book on Amazon, rather than going downtown to buy it locally. There is a cost to cheap fast fashion, as opposed to buying better made clothing that hasn't traveled around the globe. There is a cost to purchasing a fleet of boats that will be shipped from Washington state, rather than getting Mainers to make them right here. Don't we owe it to our constituents – and, I would argue, our environment – to take a more nuanced view of how we wield our purchasing power?

I have no doubt that some agencies are already thinking about our climate goals when decisions are made. I know that many have procedures in place to do this. But tasking the right people to study the entire process across our various departments and agencies and report back their findings makes sense. It's the right thing to do when we are trying to be fiscally responsible AND meet ambitious climate goals.

I ask this committee to thoughtfully consider this resolve so that this exploration can begin.

Thank you.