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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 32

Session of  
1975

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INTRODUCED BY MEBUS AND RENNINGER, JANUARY 27, 1975

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REFERRED TO COMMITTEE ON CONSERVATION, JANUARY 27, 1975

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AN ACT

1 Amending the act of October 26, 1972 (P.L.1017, No.247),  
2 entitled "An act relating to the prevention of environment  
3 pollution and the preservation of public natural resources in  
4 construction projects," further providing for contents of  
5 invitations for proposals for construction projects.

6 The General Assembly of the Commonwealth of Pennsylvania  
7 hereby enacts as follows:

8 Section 1. Section 1, act of October 26, 1972 (P.L.1017,  
9 No.247), entitled "An act relating to the prevention of  
10 environment pollution and the preservation of public natural  
11 resources in constructions projects," is amended to read:

12 Section 1. All invitations for proposals for construction  
13 projects issued by the Commonwealth, its authorities or  
14 agencies, or any political subdivision of the Commonwealth,  
15 shall [set forth] contain citations of reference to those  
16 provisions of Federal and State statutes, rules and regulations  
17 dealing with the prevention of environment pollution and the  
18 preservation of public natural resources that affect the  
19 projects. If the successful bidder must undertake additional  
20 work due to the enactment of new or the amendment of existing

1 statutes, rules or regulations occurring after the submission of  
2 the successful proposal, the awarding agency shall issue a  
3 change order setting forth the additional work that must be  
4 undertaken, which shall not invalidate the contract. The cost of  
5 such a change order to the awarding agency shall be determined  
6 in accordance with the provisions of the contract for change  
7 orders or force accounts or, if no such provision is set forth  
8 in the contract, then the cost to the awarding agency shall be  
9 the contractor's costs for wages, labor costs other than wages,  
10 wage taxes, materials, equipment rentals, insurance and  
11 subcontracts attributable to the additional activity plus a  
12 reasonable sum for overhead and profit: Provided, however, That  
13 such additional costs to undertake work not specified in the  
14 invitation for proposal shall not be approved unless written  
15 authorization is given the successful bidder prior to his  
16 undertaking such additional activity. In the event of a dispute  
17 between the awarding agency and the successful bidder,  
18 arbitration procedures may be commenced under the applicable  
19 terms of the construction contract, or, if the contract contains  
20 no such provision for arbitration, the then obtaining rules of  
21 the American Arbitration Association.

22 Section 2. This act shall take effect in 60 days.