

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1636 Session of
1981

INTRODUCED BY PHILLIPS, MACKOWSKI, COSLETT, LEHR, STEVENS, LEVI,
A. C. FOSTER, JR., PETERSON, WASS, MADIGAN, BOWSER, MCINTYRE,
CALTAGIRONE, E. H. SMITH AND SNYDER, JUNE 16, 1981

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JUNE 16, 1981

AN ACT

1 Amending the act of January 22, 1968 (P.L.42, No.8), entitled,
2 as amended "An act empowering and authorizing the Department
3 of Transportation to establish and administer certain grant
4 programs for the betterment of mass transportation systems
5 and facilities throughout the Commonwealth; providing for
6 State grants to transportation companies, municipalities,
7 counties, or their instrumentalities and to agencies and
8 instrumentalities of the Commonwealth for studies, research,
9 demonstration programs, promotion programs, purchase of
10 service projects, and capital improvement projects under
11 certain conditions; authorizing grants by counties or
12 municipalities in metropolitan areas to local transportation
13 organizations, authorizing the creation of a transportation
14 authority to function in each metropolitan area consisting of
15 any county of the first class and all nearby counties within
16 a radius of twenty miles of any such first class county, as a
17 body corporate and politic for the purpose of establishing an
18 integrated mass transportation system with all pertinent
19 powers including, but not limited to, leasing, acquiring,
20 owning, operating and maintaining a system for, or otherwise
21 providing for, the transportation of persons, authorizing the
22 borrowing of money and issuance of bonds therefor, conferring
23 the right of eminent domain on the authority; altering the
24 jurisdiction of the Public Utility Commission, authorizing
25 the acceptance of grants from Federal, State and local
26 governments, limiting actions against the authority and
27 exempting it from taxation, authorizing counties and
28 municipalities to enter into compacts for the financing of
29 each authority and to make appropriations in accordance with
30 such compacts, creating a citizen advisory committee,
31 conferring exclusive jurisdiction upon certain courts with
32 respect to matters relating to such authority, empowering
33 each authority to function outside of the metropolitan area

1 under certain terms and conditions," further providing for
2 contracts, procurement and sale of property and competition
3 in award of contracts.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Subsections (c), (d) and (f) of section 332, act
7 of January 22, 1968 (P.L.42, No.8), known as the "Pennsylvania
8 Urban Mass Transportation Law," added July 10, 1980 (No.101),
9 are amended to read:

10 Section 332. Contracts, Procurement and Sale of Property;
11 Concessions; Advertisement; Bidding.--* * *

12 (c) Written price quotations from at least three qualified
13 and responsible vendors shall be obtained for all purchases and
14 sales under \$10,000 and over [\$2,500] \$4,000, or in lieu
15 thereof, a memorandum, approved by the chief operations officer,
16 shall be kept on file showing that less than three vendors so
17 qualified exist in the market area within which it is
18 practicable to obtain quotations; except as hereinafter
19 provided.

20 (d) Purchases or sales under [\$2,500] \$4,000 may be
21 negotiated with or without competitive bidding under sound
22 procurement procedures as promulgated and established by the
23 chief operations officer.

24 * * *

25 (f) All concessions granted by the authority for the sale of
26 products or the rendition of services for a consideration on
27 authority property shall be awarded only pursuant to written
28 specifications after competitive bidding and to the highest
29 responsible bidder in a manner similar to that required by
30 subsection (e) relating to contracts for procurement involving
31 an expenditure of more than \$10,000: Provided, That the

1 foregoing requirement for competitive bidding shall not apply to
2 any concession which has been granted by a transportation system
3 acquired by the authority and which by the terms of the
4 agreement granting it will terminate within one year from date
5 of the acquisition of the transportation system by the
6 authority, nor to any concession involving the estimated receipt
7 by the authority of less than [2,500] \$4,000 over the period for
8 which the concession is granted.

9 * * *

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