

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL  
No. 1937 Session of  
1985

INTRODUCED BY E. Z. TAYLOR, COWELL, WASS, NOYE, BURD, COLE,  
FARGO, TRUMAN, HALUSKA, HERSHEY, DISTLER, FLICK, LINTON,  
FATTAH, ARTY, COY AND STEIGHNER, NOVEMBER 26, 1985

SENATOR WENGER, STATE GOVERNMENT, IN SENATE, AS AMENDED,  
NOVEMBER 17, 1986

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An  
2 act relating to the public school system, including certain  
3 provisions applicable as well to private and parochial  
4 schools; amending, revising, consolidating and changing the  
5 laws relating thereto," authorizing the State System of  
6 Higher Education to enter into contracts for the repair of <—  
7 MAINTENANCE PROJECTS TO REPAIR buildings and other <—  
8 facilities.

9 The General Assembly of the Commonwealth of Pennsylvania  
10 hereby enacts as follows:

11 ~~Section 1. The act of March 10, 1949 (P.L.30, No.14), known <—~~  
12 ~~as the Public School Code of 1949, is amended by adding a~~  
13 ~~section to read:-~~

14 ~~Section 2003 A.1. Contracts for Building Repairs. (a) The~~  
15 ~~State System of Higher Education is hereby authorized to enter~~  
16 ~~into contracts necessary for the repair of buildings and other~~  
17 ~~facilities to the extent that each contract does not exceed two~~  
18 ~~hundred fifty thousand dollars (\$250,000). This limit shall be~~  
19 ~~altered annually in accordance with the Composite Construction~~

~~Cost Index established by the Federal Department of Commerce.  
Prior to execution, a contract which exceeds twenty five  
thousand dollars (\$25,000) shall be presented to the Department  
of General Services for thirty (30) days for review and comment  
with respect to architectural and engineering considerations and  
other matters as the Department of General Services deems  
appropriate. Upon the request of the State System of Higher  
Education, the Department of General Services shall execute and  
administer, without charge, contracts for repair projects.~~

~~(b) Contracts for the repair of buildings and other  
facilities undertaken solely with private contributions shall be  
exempt from the provisions of subsection (a) unless the project  
includes major architectural and engineering changes. If such  
changes are proposed, the contract shall be presented to the  
Department of General Services for thirty (30) days for review  
and comment with respect to these considerations, as well as  
other matters the Department of General Services deems  
appropriate.~~

~~Section 2. This act shall take effect July 1, 1986.~~

SECTION 1. SECTION 2001-A OF THE ACT OF MARCH 10, 1949  
(P.L.30, NO.14), KNOWN AS THE PUBLIC SCHOOL CODE OF 1949, IS  
AMENDED BY ADDING A CLAUSE TO READ:

SECTION 2001-A. DEFINITIONS.--THE FOLLOWING WORDS AND  
PHRASES WHEN USED IN THIS ARTICLE SHALL, FOR THE PURPOSE OF THIS  
ARTICLE, HAVE THE FOLLOWING MEANINGS, RESPECTIVELY, EXCEPT IN  
THOSE INSTANCES WHERE THE CONTEXT CLEARLY INDICATES A DIFFERENT  
MEANING:

\* \* \*

(19) "MAINTENANCE PROJECTS" SHALL MEAN THOSE ACTIVITIES,  
MATERIALS, LABOR AND CONTRACTS NECESSARY TO REPLACE, RESTORE,

1 REFURBISH OR ENHANCE REAL PROPERTY (EXCEPT FOR ARCHITECTURAL OR  
2 ENGINEERING CONSIDERATIONS) TO INCLUDE THE FOLLOWING: PAINTING;  
3 WINDOW REPAIR AND REPLACEMENT; ROOF REPAIR AND REPLACEMENT;  
4 REPOINTING AND MASONRY REPAIR; DOWNSPOUT AND GUTTERS;  
5 LANDSCAPING; ROADWAYS, PARKING FACILITIES, TRACK AND ATHLETIC  
6 COURT RESURFACING AND RECONSTRUCTION; SIDEWALK AND CURBING  
7 RECONSTRUCTION AND REPLACEMENT; ASBESTOS ABATEMENT (IN  
8 ACCORDANCE WITH ALL STATE AND FEDERAL STATUTES AND REGULATIONS);  
9 CAULKING AND INSULATION; AND REPLACEMENT, RECONSTRUCTION AND  
10 CONSTRUCTION OF NON-LOAD BEARING WALLS. THE DEPARTMENT OF  
11 GENERAL SERVICES MAY DEFINE ADDITIONAL MAINTENANCE PROJECTS ON A  
12 CASE BY CASE BASIS. NO SUCH PROJECT SHALL AFFECT THE STRUCTURAL  
13 INTEGRITY OF ANY EXISTING FACILITY OR UTILITY SYSTEM.

14 SECTION 2. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

15 SECTION 2003-A.1. CONTRACTS FOR MAINTENANCE PROJECTS.--(A)  
16 THE STATE SYSTEM OF HIGHER EDUCATION IS HEREBY AUTHORIZED TO  
17 EXECUTE CONTRACTS WITHOUT REGARD TO THE SOURCE OF FUNDS  
18 NECESSARY FOR THE PERFORMANCE OF MAINTENANCE PROJECTS TO THE  
19 EXTENT THAT EACH CONTRACT DOES NOT EXCEED ONE HUNDRED THOUSAND  
20 DOLLARS (\$100,000). THIS LIMIT SHALL BE ADJUSTED ANNUALLY IN  
21 ACCORDANCE WITH THE COMPOSITE CONSTRUCTION COST INDEX  
22 ESTABLISHED BY THE FEDERAL DEPARTMENT OF COMMERCE. PRIOR TO  
23 BIDDING, A CONTRACT WHICH EXCEEDS THE AMOUNT ANNUALLY AUTHORIZED  
24 BY THIS SECTION SHALL BE PRESENTED TO THE DEPARTMENT OF GENERAL  
25 SERVICES FOR NINETY (90) DAYS FOR REVIEW AND APPROVAL OR  
26 DISAPPROVAL. ALL CONTRACTS, REGARDLESS OF THEIR AMOUNT, SHALL BE  
27 RECORDED WITH THE DEPARTMENT OF GENERAL SERVICES.

28 (B) UPON THE REQUEST OF THE DEPARTMENT OF GENERAL SERVICES,  
29 THE STATE SYSTEM OF HIGHER EDUCATION SHALL PROVIDE UPDATED  
30 PLANS, DRAWINGS AND SPECIFICATIONS FOR ANY CONTRACTED WORK.

1     (C) FOR MAINTENANCE PROJECTS NOT AUTHORIZED BY THIS ACT AND  
2     FOR ANY CONTRACTS INVOLVING ARCHITECTURAL OR ENGINEERING  
3     CONSIDERATIONS, CONTRACT SPECIFICATIONS MUST BE REVIEWED AND  
4     APPROVED BY THE DEPARTMENT OF GENERAL SERVICES.

5     (D) UPON THE REQUEST OF THE STATE SYSTEM OF HIGHER  
6     EDUCATION, THE DEPARTMENT OF GENERAL SERVICES SHALL EXECUTE AND  
7     ADMINISTER, WITHOUT CHARGE, CONTRACTS FOR MAINTENANCE PROJECTS.

8     SECTION 3. THIS ACT SHALL TAKE EFFECT JANUARY 1, 1987.