

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1870 Session of
2005

INTRODUCED BY HICKERNELL, HERMAN, LESCOVITZ, HANNA, M. KELLER,
HARHAI, O'NEILL, KAUFFMAN, ROSS, HARPER, PETRI, T. STEVENSON,
McNAUGHTON, GINGRICH, HENNESSEY, BIANCUCCI, ARMSTRONG,
BALDWIN, BOYD, CAPPELLI, DALLY, DENLINGER, DeWEESE, FRANKEL,
GEIST, HARRIS, HERSHEY, McILHATTAN, PHILLIPS, PICKETT,
SCAVELLO AND WATSON, JULY 3, 2005

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, JULY 3, 2005

AN ACT

1 Amending the act of May 1, 1913 (P.L.155, No.104), entitled "An
2 act regulating the letting of certain contracts for the
3 erection, construction, and alteration of public buildings,"
4 increasing the minimum bid requirement.

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

7 Section 1. Section 1 of the act of May 1, 1913 (P.L.155,
8 No.104), entitled "An act regulating the letting of certain
9 contracts for the erection, construction, and alteration of
10 public buildings," amended December 22, 1981 (P.L.546, No.159),
11 is amended to read:

12 Section 1. (a) Be it enacted, &c., That hereafter in the
13 preparation of specifications for the erection, construction,
14 and alteration of any public building, when the entire cost of
15 such work shall exceed [four thousand dollars] twenty-five
16 thousand dollars subject to annual adjustment under subsection
17 (b), it shall be the duty of the architect, engineer, or other

1 person preparing such specifications, to prepare separate
2 specifications for the plumbing, heating, ventilating, and
3 electrical work; and it shall be the duty of the person or
4 persons authorized to enter into contracts for the erection,
5 construction, or alteration of such public buildings to receive
6 separate bids upon each of the said branches of work, and to
7 award the contract for the same to the lowest responsible bidder
8 for each of said branches.

9 Every contract for the construction, reconstruction,
10 alteration, repair, improvement or maintenance of public works
11 shall comply with the provisions of the act of March 3, 1978
12 (P.L.6, No.3), known as the "Steel Products Procurement Act."

13 (b) (1) The Department of Labor and Industry shall
14 determine the percentage change in the Consumer Price Index for
15 All Urban Consumers for the twelve-month period ending September
16 30 of the calendar year in which this subsection becomes
17 effective, and for each successive twelve-month period
18 thereafter.

19 (2) The amount at which competitive bidding is required
20 under subsection (a) shall be adjusted annually. The positive
21 percentage change, as determined in accordance with clause (1),
22 shall be multiplied by the amount applicable under subsection
23 (a) for the current year and the product thereof shall be added
24 to the amount applicable under subsection (a) for the current
25 year, with the result rounded to the nearest multiple of ten
26 dollars.

27 (3) The annual determination required under clause (1) and
28 the calculation of the adjustments required under clause (2)
29 shall be made in the period between October 1 and November 15 of
30 the year following the effective date of this subsection, and

1 annually between October 1 and November 15 of each successive
2 year.

3 (4) The adjusted amounts obtained in accordance with clause
4 (2) shall become effective January 1 for the calendar year
5 following the year in which the determination required under
6 clause (1) is made.

7 (5) The Department of Labor and Industry shall give notice
8 in the Pennsylvania Bulletin prior to January 1 of each calendar
9 year of the annual percentage change determined in accordance
10 with clause (1) and the amounts, whether adjusted or unadjusted
11 in accordance with clause (2), at which competitive bidding is
12 required under subsection (a) for the calendar year beginning
13 the first day of January after publication of the notice.

14 Section 2. This act shall apply to contracts and purchases
15 advertised on or after January 1 of the year following the
16 effective date of this section.

17 Section 3. This act shall take effect in 60 days.