

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 291 Session of 2011

INTRODUCED BY M.K. KELLER, AUMENT, BAKER, BEAR, BENNINGHOFF, BLOOM, BOBACK, BOYD, BROOKS, CAUSER, CHRISTIANA, CLYMER, COX, CREIGHTON, CUTLER, DELOZIER, DENLINGER, ELLIS, EVERETT, FARRY, FLECK, GABLER, GEIST, GERBER, GILLESPIE, GINGRICH, GRELL, GROVE, HALUSKA, HARHART, HARPER, HARRIS, HELM, HENNESSEY, HESS, HICKERNELL, KAUFFMAN, KILLION, KNOWLES, MAJOR, MARSHALL, MARSICO, MASSER, METCALFE, MILLARD, MILLER, MOUL, OBERLANDER, O'NEILL, PAYNE, PEIFER, PERRY, PICKETT, PYLE, QUIGLEY, QUINN, RAPP, REED, REICHLEY, ROAE, ROCK, ROSS, SAYLOR, SCAVELLO, CULVER, SCHRODER, SIMMONS, SONNEY, STERN, STEVENSON, SWANGER, TALLMAN, TOBASH, TRUITT, TURZAI, VEREB, VULAKOVICH AND WATSON, JANUARY 27, 2011

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, JANUARY 27, 2011

AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania
2 Consolidated Statutes, further providing for competitive
3 bidding of contracts relating to intergovernmental
4 cooperation.

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

7 Section 1. Section 2308 of Title 53 of the Pennsylvania
8 Consolidated Statutes is amended to read:

9 § 2308. Bids for certain joint purchases.

10 (a) Notice.--All joint purchases involving an expenditure of
11 more than [\$10,000] \$25,000 subject to annual adjustment under
12 subsection (b) shall be made by contract, in writing, only after
13 notice for bids once a week for two weeks in at least one and
14 not more than two newspapers of general circulation in the

1 joining local governments. All contracts shall be let to the
2 lowest responsible bidder. Every contract for the construction,
3 reconstruction, alteration, repair, improvement or maintenance
4 of public works shall comply with the provisions of the act of
5 March 3, 1978 (P.L.6, No.3), known as the Steel Products
6 Procurement Act.

7 (b) Annual adjustment.--

8 (1) The Department of Labor and Industry shall determine
9 the percentage change in the Consumer Price Index for All
10 Urban Consumers for the 12-month period ending September 30
11 of the calendar year in which this subsection becomes
12 effective and for each successive 12-month period thereafter.

13 (2) The amount at which competitive bidding is required
14 under subsection (a) shall be adjusted annually. The positive
15 percentage change, as determined in accordance with paragraph
16 (1), shall be multiplied by the amount applicable under
17 subsection (a) for the current year, and the product thereof
18 shall be added to the amount applicable under subsection (a)
19 for the current year with the result rounded to the nearest
20 multiple of \$10.

21 (3) The annual determination required under paragraph
22 (1) and the calculation of the adjustments required under
23 paragraph (2) shall be made in the period between October 1
24 and November 15 of the year following the effective date of
25 this subsection and annually between October 1 and November
26 15 of each successive year.

27 (4) The adjusted amounts obtained in accordance with
28 paragraph (2) shall become effective January 1 for the
29 calendar year following the year in which the determination
30 required under paragraph (1) is made.

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

9 Section 2. This act shall apply to contracts and purchases
10 advertised after December 31 of the year in which this section
11 takes effect.

12 Section 3. This act shall take effect immediately.