

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1372 Session of
1989

INTRODUCED BY WAMBACH, HARPER, ANGSTADT, R. C. WRIGHT, TRELLO,
VAN HORNE AND LASHINGER, MAY 1, 1989

REFERRED TO COMMITTEE ON URBAN AFFAIRS, MAY 1, 1989

AN ACT

1 Amending the act of June 5, 1947 (P.L.458, No.208), entitled, as
2 amended, "An act creating as bodies corporate and politic
3 'Parking Authorities' in cities of the first, second, second
4 A and third classes, boroughs, and townships of the first
5 class; prescribing the rights, powers and duties of such
6 authorities; authorizing such authorities to acquire,
7 construct, improve, maintain and operate parking projects, to
8 conduct research of the parking problem, to supervise,
9 operate and administer an efficient coordinated system of on-
10 street parking regulation where so authorized by municipal
11 ordinance or resolution, to establish a permanent coordinated
12 system of off-street parking facilities, and to borrow money
13 and issue bonds for such facilities therefor; providing for
14 the payment of such bonds and prescribing the rights of the
15 holders thereof; conferring the right of eminent domain on
16 such authorities; empowering such authorities to enter into
17 contracts with, and to accept grants from, the Federal
18 Government, State, political subdivisions of the State or any
19 agency thereof; exempting the property and securities of such
20 parking authorities from taxation and conferring exclusive
21 jurisdiction on certain courts over rates for their
22 facilities," increasing the maximum amount for which an
23 authority may contract or purchase without bids.

24 The General Assembly of the Commonwealth of Pennsylvania
25 hereby enacts as follows:

26 Section 1. Section 11(a) and (b) of the act of June 5, 1947
27 (P.L.458, No.208), known as the Parking Authority Law, amended
28 February 5, 1982 (P.L.15, No.7), are amended to read:

1 Section 11. Competition in Award of Contracts.--(a) All
2 construction, reconstruction, repairs or work of any nature made
3 by any Authority, where the entire cost, value or amount of such
4 construction, reconstruction, repairs or work including labor
5 and materials, shall exceed [four thousand dollars (\$4,000)] ten
6 thousand dollars (\$10,000), except reconstruction, repairs or
7 work done by employees of said Authority, or by labor supplied
8 under agreement with any Federal or State agency with supplies
9 and materials purchased as hereinafter provided, shall be done
10 only under contract or contracts to be entered into by the
11 Authority with the lowest responsible bidder, upon proper terms,
12 after due public notice has been given, asking for competitive
13 bids as hereinafter provided. No contract shall be entered into
14 for construction or improvement or repair of any project, or
15 portion thereof, unless the contractor shall give an undertaking
16 with a sufficient surety or sureties, approved by the Authority,
17 and in an amount fixed by the Authority for the faithful
18 performance of the contract. All such contracts shall provide,
19 among other things, that the person or corporation entering into
20 such contract with the Authority will pay for all materials
21 furnished and services rendered for the performance of the
22 contract, and that any person or corporation furnishing such
23 materials or rendering such services may maintain an action to
24 recover for the same against the obligor in the undertaking, as
25 though such person or corporation was named therein, provided
26 the action is brought within one year after the time the cause
27 of action accrued. Nothing in this section shall be construed to
28 limit the power of the Authority to construct, repair or improve
29 any project or portion thereof, or any addition, betterment or
30 extension thereto directed by the officers, agents and employees

1 of the Authority or otherwise than by contract.

2 (b) All supplies and materials costing [four thousand
3 dollars (\$4,000)] ten thousand dollars (\$10,000) or more shall
4 be purchased only after due advertisement as hereinafter
5 provided. Authority shall accept the lowest bid or bids, kind,
6 quality and material being equal, but the Authority shall have
7 the right to reject any or all bids or select a single item from
8 any bid. The provisions as to bidding shall not apply to the
9 purchase of patented and manufactured products offered for sale
10 in a noncompetitive market, or solely by a manufacturer's
11 authorized dealer.

12 * * *

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