

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2714 Session of
1994

INTRODUCED BY FREEMAN, GRUPPO, JOSEPHS, PISTELLA, RICHARDSON,
TIGUE, BELFANTI, CURRY, TRELLO, WOZNIAK, DRUCE AND M. COHEN,
APRIL 19, 1994

REFERRED TO COMMITTEE ON TRANSPORTATION, APRIL 19, 1994

A SUPPLEMENT

1 To the act of June 25, 1931 (P.L.1352, No.332), entitled "An act
2 providing for joint action by the Commonwealth of
3 Pennsylvania and the State of New Jersey in the
4 administration, operation, and maintenance of bridges over
5 the Delaware River, and for the construction of additional
6 bridge facilities across said river; authorizing the
7 Governor, for these purposes, to enter into an agreement with
8 the State of New Jersey; creating a Delaware River Joint Toll
9 Bridge Commission and specifying the powers and duties
10 thereof, including the power to finance the construction of
11 additional bridges by the issuance of revenue bonds to be
12 redeemed from revenues derived from tolls collected at such
13 bridges; transferring to said commission all powers now
14 exercised by existing commission created to acquire toll
15 bridges over the Delaware River; and making an
16 appropriation," requiring the commission to adopt competitive
17 purchasing practices.

18 The General Assembly of the Commonwealth of Pennsylvania
19 hereby enacts as follows:

20 Section 1. Legislative findings and declarations.

21 The General Assembly finds and declares as follows:

22 (1) The Delaware River Joint Toll Bridge Commission was
23 created by the Commonwealth of Pennsylvania and the State of
24 New Jersey, with the consent of Congress, to provide an
25 efficient means of carrying out the planning, construction,

1 maintenance and rehabilitation of certain Delaware river
2 crossings.

3 (2) The Commonwealth of Pennsylvania and the State of
4 New Jersey rely upon the commission to competently execute
5 the duties and powers delegated to it as well as carefully
6 managing the not inconsiderable financial means available to
7 the commission.

8 (3) Notwithstanding the delegation of power to the
9 commission, it is incumbent upon the Commonwealth of
10 Pennsylvania and the State of New Jersey to ensure that the
11 commission carries out its duties in a manner which ensures
12 prudent use of toll payer moneys.

13 (4) Therefore, it is in the best interest of the public
14 to supplement or limit the powers of the commission, as the
15 case may be, to require the commission to competitively bid
16 contracts in accordance with the public policies of the
17 Commonwealth of Pennsylvania and the State of New Jersey.

18 Section 2. Contracts.

19 The Delaware River Joint Toll Bridge Commission, in the
20 exercise of its authority to make and enter into contracts and
21 agreements necessary or incidental to the performance of its
22 duties and the execution of its powers, shall adopt standing
23 operating rules and procedures requiring that, except as
24 hereinafter provided, no contract on behalf of the commission
25 shall be entered into for the doing of any work, or for the
26 hiring of equipment or vehicles, where the sum to be expended
27 exceeds \$10,000 unless the commission shall first publicly
28 advertise for bids therefor, and requiring that the commission
29 award the contract to the lowest responsible bidder; provided,
30 however, that such advertising shall not be required where the

1 contract to be entered into is one for the furnishing or
2 performing services of a professional nature or for the
3 supplying of any product or the rendering of any service by a
4 public utility subject to the jurisdiction of the Pennsylvania
5 Public Utility Commission or the Board of Regulatory
6 Commissioners of New Jersey and tariffs and schedules of the
7 charges made, charged, or exacted by the public utility for any
8 such products to be supplied or services to be rendered are
9 filed with the appropriate boards.

10 Section 3. Power of commission.

11 This act shall not prevent the commission from having any
12 work done by its own employees, nor shall it apply to repairs or
13 to the furnishing of materials, supplies or labor, or the hiring
14 of equipment or vehicles, when the safety or protection of its
15 or other public property or the public convenience require, or
16 the exigency of the commission's service will not admit of such
17 advertisement. In such case the commission shall, by resolution,
18 passed by the affirmative vote of a majority of its members,
19 declare the exigency or emergency to exist and set forth in the
20 resolution the nature thereof and the approximate amount to be
21 so expended.

22 Section 4. Adjustment of threshold amount.

23 The commission may annually adjust the threshold amount in
24 direct proportion to the rise or fall of the Consumer Price
25 Index for All Urban Consumers in the New York City and
26 Philadelphia areas as reported by the United States Department
27 of Labor.

28 Section 5. Applicability.

29 This act shall apply as follows:

30 (1) This act shall apply upon the enactment into law by

1 the State of New Jersey of legislation having an identical
2 effect with this act, but if the State of New Jersey has
3 already enacted such legislation, this act shall apply
4 immediately, except as provided in paragraph (2).

5 (2) Notwithstanding paragraph (1), this act shall remain
6 inoperative until the enactment of the act of
7 , 19 (P.L. , No.), entitled "An act amending the act
8 of June 25, 1931 (P.L.1352, No.332), entitled 'An act
9 providing for joint action by the Commonwealth of
10 Pennsylvania and the State of New Jersey in the
11 administration, operation, and maintenance of bridges over
12 the Delaware River, and for the construction of additional
13 bridge facilities across said river; authorizing the
14 Governor, for these purposes, to enter into an agreement with
15 the State of New Jersey; creating a Delaware River Joint Toll
16 Bridge Commission and specifying the powers and duties
17 thereof, including the power to finance the construction of
18 additional bridges by the issuance of revenue bonds to be
19 redeemed from revenues derived from tolls collected at such
20 bridges; transferring to said commission all powers now
21 exercised by existing commission created to acquire toll
22 bridges over the Delaware River; and making an
23 appropriation,' further providing for attendance at meeting,
24 for a limitation on certain employment, for veto powers of
25 the Governors, and for joint audits," and similar legislation
26 enacted by the State of New Jersey, and the approval by the
27 Congress of the United States of the amendments to the
28 compact described in this paragraph.

29 Section 6. Effective date.

30 This act shall take effect immediately.