

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2934 Session of  
1996

INTRODUCED BY NAILOR, RUBLEY, GEORGE, DeLUCA, BELARDI, TIGUE,  
SERAFINI, HALUSKA, MAITLAND, L. I. COHEN, BUXTON, ZUG, CLARK,  
MERRY, COY, TRELLO, HENNESSEY, CARONE, EGOLF, SAYLOR, BUNT,  
E. Z. TAYLOR, FLICK AND MARSICO, OCTOBER 2, 1996

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,  
OCTOBER 2, 1996

AN ACT

1 Amending the act of March 1, 1988 (P.L.82, No.16), entitled "An  
2 act providing for the establishment, implementation and  
3 administration of the Pennsylvania Infrastructure Investment  
4 Authority; imposing powers and duties on a board of trustees;  
5 transferring the rights, powers, duties and obligations of  
6 the Water Facilities Loan Board to the Pennsylvania  
7 Infrastructure Investment Authority; providing for the  
8 issuance of notes and bonds; providing for financial  
9 assistance and for a comprehensive water facilities plan;  
10 authorizing a referendum to incur indebtedness; making an  
11 appropriation; and making repeals," further providing for the  
12 contracting process.

13 The General Assembly of the Commonwealth of Pennsylvania  
14 hereby enacts as follows:

15 Section 1. Section 10 of the act of March 1, 1988 (P.L.82,  
16 No.16), known as the Pennsylvania Infrastructure Investment  
17 Authority Act, is amended by adding a subsection to read:  
18 Section 10. Financial assistance.

19 \* \* \*

20 (o) Contracts.--No specification for bids in connection with  
21 any project financed by the authority shall be written in such a

1 manner as to contain proprietary, exclusionary or discriminatory  
2 requirements other than those based upon performance unless such  
3 requirements are necessary to test or demonstrate a specific  
4 thing or to provide for necessary interchangeability of parts  
5 and equipment. At least two brand names or trade names of  
6 comparable quality or utility shall be listed, followed by the  
7 words "or equal." Any disputes arising from this subsection  
8 shall be resolved first by the grantee or loan recipient and, if  
9 necessary, by the Department of Environmental Protection, not  
10 the authority.

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