

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2147 Session of
2010

INTRODUCED BY PAYTON, WHEATLEY, BUXTON, JOSEPHS, THOMAS, BROWN,
CALTAGIRONE, GOODMAN, HARKINS, JOHNSON, McCALL, PRESTON,
SHAPIRO, SIPTROTH, STEVENSON, STURLA, WATERS AND YOUNGBLOOD,
JANUARY 19, 2010

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JANUARY 19, 2010

AN ACT

1 Amending Title 62 (Procurement) of the Pennsylvania Consolidated
2 Statutes, in small and disadvantaged businesses, providing
3 for small business reserve.

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

6 Section 1. Title 62 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 2109. Small business reserve.

9 (a) Small business reserve.--Commonwealth agencies shall
10 establish a small business reserve for the purpose of increasing
11 economic opportunities for small and disadvantaged businesses
12 and affording small and disadvantaged businesses the opportunity
13 to bid on State government contracts without competing with
14 larger businesses.

15 (b) Set-aside.--Under section 2101 (relating to policy),
16 each Commonwealth agency shall set 10% of its moneys available
17 for procurement into a small business reserve for award to

1 qualified small and disadvantaged businesses. The amount set
2 aside shall be a minimum of \$25,000 up to a maximum of
3 \$5,000,000.

4 (c) Self-certification.--Bidders shall self-certify that
5 they are qualified small or disadvantaged businesses, and
6 verification of status shall be confirmed by the awarding agency
7 prior to award.

8 (d) Categories.--The following tiers are established:

9 (1) Tier 1: 0 to 100 employees with gross revenues not
10 exceeding \$25,000,000. Small businesses in this tier may bid
11 on any small business reserve contract.

12 (2) Tier 2: 100 to 200 employees with gross revenues not
13 exceeding \$35,000,000. Small businesses in this tier may only
14 compete for contracts valued at \$100,000 or more.

15 (3) Tier 3: 200 to 250 employees with gross revenues not
16 exceeding \$45,000,000. Small businesses in this tier may only
17 compete for contracts valued at \$250,000 or more.

18 Section 2. This act shall take effect immediately.