

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1784 Session of
1975

INTRODUCED BY DeMEDIO, RITTER, FRYER, MEBUS AND WEIDNER,
OCTOBER 1, 1975

REFERRED TO COMMITTEE ON URBAN AFFAIRS, OCTOBER 1, 1975

AN ACT

1 Amending the act of May 2, 1945 (P.L.382, No.164), entitled "An
2 act providing for the incorporation as bodies corporate and
3 politic of 'Authorities' for municipalities, counties and
4 townships; prescribing the rights, powers and duties of such
5 Authorities heretofore or hereafter incorporated; authorizing
6 such Authorities to acquire, construct, improve, maintain and
7 operate projects, and to borrow money and issue bonds
8 therefor; providing for the payment of such bonds, and
9 prescribing the rights of the holders thereof; conferring the
10 right of eminent domain on such Authorities; authorizing such
11 Authorities to enter into contracts with and to accept grants
12 from the Federal Government or any agency thereof; and
13 conferring exclusive jurisdiction on certain courts over
14 rates," regulating contract procedures and advertising for
15 bids.

16 The General Assembly of the Commonwealth of Pennsylvania
17 hereby enacts as follows:

18 Section 1. Subsections A and B of section 10, act of May 2,
19 1945 (P.L.382, No.164), known as the "Municipality Authorities
20 Act of 1945," amended September 1, 1967 (P.L.293, No.122), are
21 amended to read:

22 Section 10. Competition in Award of Contracts.--A. All
23 construction, reconstruction, repairs or work of any nature made
24 by any Authority, where the entire cost, value or amount of such

1 construction, reconstruction, repairs or work, including labor
2 and materials, shall exceed [one thousand five hundred dollars
3 (\$1500)] two thousand dollars (\$2,000), except construction,
4 reconstruction, repairs or work done by employees of said
5 Authority, or by labor supplied under agreement with any Federal
6 or State agency, with supplies and materials purchased as
7 hereinafter provided, shall be done only under contract or
8 contracts to be entered into by the Authority with the lowest
9 responsible bidder upon proper terms, after due public notice
10 has been given asking for competitive bids as hereinafter
11 provided. No contract shall be entered into for construction or
12 improvement or repair of any project or portion thereof, unless
13 the contractor shall give an undertaking with a sufficient
14 surety or sureties approved by the Authority, and in an amount
15 fixed by the Authority, for the faithful performance of the
16 contract. All such contracts shall provide among other things
17 that the person or corporation entering into such contract with
18 the Authority will pay for all materials furnished and services
19 rendered for the performance of the contract, and that any
20 person or corporation furnishing such materials or rendering
21 such services may maintain an action to recover for the same
22 against the obligor in the undertaking, as though such person or
23 corporation was named therein, provided the action is brought
24 within one year after the time the cause of action accrued.
25 Nothing in this section shall be construed to limit the power of
26 the Authority to construct, repair or improve any project or
27 portion thereof, or any addition, betterment or extension
28 thereto, directly by the officers, agents and employees of the
29 Authority, or otherwise than by contract.

30 B. All supplies and materials costing [one thousand five

1 hundred dollars (\$1500)] two thousand dollars (\$2,000), or more
2 shall be purchased only after due advertisement as hereinafter
3 provided. Authority shall accept the lowest bid or bids, kind,
4 quality and material being equal, but the Authority shall have
5 the right to reject any or all bids or select a single item from
6 any bid. The provisions as to bidding shall not apply to the
7 purchase of patented and manufactured products offered for sale
8 in a noncompetitive market or solely by a manufacturer's
9 authorized dealer.

10 * * *

11 Section 2. This act shall take effect immediately.