

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1792 Session of
1975

INTRODUCED BY PYLES, VROON, W. W. FOSTER, W. D. HUTCHINSON,
DOYLE AND MENHORN, OCTOBER 1, 1975

REFERRED TO COMMITTEE ON STATE GOVERNMENT, OCTOBER 1, 1975

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," increasing the amount of work of any
6 nature which can be performed on property owned by any school
7 district without advertising and without competitive bids.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Section 751, act of March 10, 1949 (P.L.30,
11 No.14), known as the "Public School Code of 1949," amended July
12 22, 1970 (P.L.541, No.184), is amended to read:

13 Section 751. Work to be Done Under Contract Let on Bids;
14 Exception.--(a) All construction, reconstruction, repairs, or
15 work of any nature, including the introduction of plumbing,
16 heating and ventilating, or lighting systems, upon any school
17 building or upon any school property, made by any school
18 district, where the entire cost, value, or amount of such
19 construction, reconstruction, repairs, or work, including labor
20 and material, shall exceed [one thousand five hundred dollars

1 (\$1500)] two thousand dollars (\$2,00), shall be done under
2 separate contracts to be entered into by such school district
3 with the lowest responsible bidder, upon proper terms, after due
4 public notice has been given asking for competitive bids.
5 Whenever a board of school directors shall approve the use of a
6 prefabricated unit, complete in itself, for a school building or
7 other proper structure to be erected upon school property, the
8 board of school directors may have prepared appropriate
9 specifications detailing the size and material desired in a
10 particular prefabricated unit, including all utilities such as
11 plumbing, heating and ventilating, and electrical work, and may
12 advertise for a single bid on all the work and award the
13 contract therefor to the lowest responsible bidder: Provided,
14 That if due to an emergency a school plant or any part thereof
15 becomes unusable competitive bids for repairs or replacement may
16 be solicited from at least three responsible bidders, and upon
17 the approval of any of these bids by the [State Superintendent
18 of Public Instruction] Secretary of Education, the board of
19 school directors may proceed at once to make the necessary
20 repairs or replacements in accordance with the terms of said
21 approved bid or bids.

22 (b) The board of school directors in any school district
23 either may perform any construction, reconstruction, repairs, or
24 work of any nature, where the entire cost or value, including
25 labor and material, is less than five thousand dollars (\$5000),
26 by its own maintenance personnel, or may have any such
27 construction, reconstruction, repairs, or work performed by
28 contract after soliciting bids from at least three responsible
29 bidders: Provided, That the board of school directors in any
30 school district may authorize the secretary of the board or

1 other executive to award contracts for construction,
2 reconstruction, repairs, or work of any nature, where the entire
3 cost or value, including labor and material, is [one thousand
4 five hundred dollars (\$1500)] two thousand dollars (\$2,000) or
5 less, without soliciting competitive bids.

6 Section 2. Section 807.1 of the act, amended February 25,
7 1972 (P.L.81, No.28), is amended to read:

8 Section 807.1. Purchase of Supplies.--All furniture,
9 equipment, textbooks, school supplies and other appliances for
10 the use of the public schools, costing [fifteen hundred dollars
11 (\$1,500)] two thousand dollars (\$2,000) or more shall be
12 purchased by the board of school directors only after due
13 advertisement as hereinafter provided. Supplies costing [fifteen
14 hundred dollars (\$1,500)] two thousand dollars (\$2,000) or more
15 shall be purchased by the board of school directors only after
16 public notice has been given by advertisement once a week for
17 three (3) weeks in not less than two (2) newspapers of general
18 circulation. In any district where no newspaper is published,
19 said notice may, in lieu of such publication, be posted in at
20 least five (5) public places.

21 The board of school directors shall accept the bid of the
22 lowest responsible bidder, kind, quality, and material being
23 equal, but shall have the right to reject any and all bids, or
24 select a single item from any bid. The board of school directors
25 in any district may authorize or appoint the secretary of the
26 board or other executive as purchasing agent for the district,
27 with authority to purchase supplies costing less than [fifteen
28 hundred dollars (\$1,500).] two thousand dollars (\$2,000).

29 The following shall be exempt from the above provisions:
30 maps, music, globes, charts, educational films, filmstrips,

1 prepared transparencies and slides, pre-recorded magnetic tapes
2 and disc recordings, textbooks, games, toys, prepared kits,
3 flannel board materials, flash cards, models, projectuals and
4 teacher demonstration devices necessary for school use.

5 Section 3. This act shall take effect immediately.