

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 350

Session of
1977

INTRODUCED BY COWELL, KERNICK, FISHER, COHEN, FLAHERTY, DUFFY,
MRKONIC, KNEPPER, GOEBEL, POTT, MISCEVICH, CESSAR, ABRAHAM,
VALICENTI, BROWN, HARPER AND STAPLETON, FEBRUARY 15, 1977

REFERRED TO COMMITTEE ON STATE GOVERNMENT, FEBRUARY 15, 1977

AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled
2 "An act providing for and reorganizing the conduct of the
3 executive and administrative work of the Commonwealth by the
4 Executive Department thereof and the administrative
5 departments, boards, commissions, and officers thereof,
6 including the boards of trustees of State Normal Schools, or
7 Teachers Colleges; abolishing, creating, reorganizing or
8 authorizing the reorganization of certain administrative
9 departments, boards, and commissions; defining the powers and
10 duties of the Governor and other executive and administrative
11 officers, and of the several administrative departments,
12 boards, commissions, and officers; fixing the salaries of the
13 Governor, Lieutenant Governor, and certain other executive
14 and administrative officers; providing for the appointment of
15 certain administrative officers, and of all deputies and
16 other assistants and employes in certain departments, boards,
17 and commissions; and prescribing the manner in which the
18 number and compensation of the deputies and all other
19 assistants and employes of certain departments, boards and
20 commissions shall be determined," authorizing the Department
21 of General Services and other administrative departments to
22 permit any independent college or university and nonprofit
23 fire, rescue and ambulance companies to participate in
24 purchase contracts entered into by the Commonwealth.

25 The General Assembly of the Commonwealth of Pennsylvania
26 hereby enacts as follows:

27 Section 1. Subsection (h) of section 2403, act of April 9,
28 1929 (P.L.177, No.175), known as "The Administrative Code of

1 1929," added July 9, 1971 (P.L.201, No.31) and amended May 10,
2 1974 (P.L.283, No.85), is amended to read:

3 Section 2403. Standards and Purchases.--The Department of
4 [Property and Supplies] General Services shall have the power,
5 and its duty shall be:

6 * * *

7 (h) To permit subject to such terms and conditions as the
8 Department of [Property and Supplies] General Services may, and
9 as hereinafter specifically provided, shall, prescribe, any
10 political subdivision or authority created by a political
11 subdivision [or], the State Public School Building Authority or
12 any private college or university to participate in or purchase
13 off purchase contracts for materials, supplies and equipment
14 entered into by the department. Any political subdivision or
15 authority desiring to participate in such purchase contracts
16 shall file with the Department of [Property and Supplies]
17 General Services a certified copy of an ordinance or resolution
18 of its governing body or in the case of a private college or
19 university, an affidavit signed by the president of the college
20 or university or his designee requesting that it be authorized
21 to participate in purchase contracts of the department and
22 agreeing that it will be bound by such terms and conditions as
23 the department may, and as hereinafter specifically provided,
24 shall, prescribe and that it will be responsible for payment
25 directly to the vendor under each purchase contract. Any other
26 administrative department authorized to make direct purchases of
27 materials, supplies and equipment may similarly permit political
28 subdivisions or authorities or any private college or university
29 to participate in or purchase off purchase contracts entered
30 into by such department. Among such terms and conditions, the

1 department shall prescribe that all prices shall be F.O.B.
2 destination. Political subdivisions and authorities and private
3 colleges and universities shall be exempt from existing
4 statutory requirements governing competitive bidding and
5 execution of contracts with respect to the purchase of
6 materials, supplies and equipment under this section. Nonprofit
7 fire companies, nonprofit rescue companies, and nonprofit
8 ambulance companies may submit their requests for the purchases
9 of materials, supplies and equipment to the subdivision in which
10 located for inclusion in the participation thereof in purchase
11 contracts entered into by the department. Any such company's
12 requests may be included by such political subdivisions if
13 accompanied by the agreement of the company making the request
14 that it will be bound by the terms and conditions prescribed by
15 the political subdivision and that it will be responsible for
16 payment directly to the vendor under each purchase contract.

17 * * *

18 Section 2. This act shall take effect immediately.