

THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL  
No. 1358 Session of  
1977

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INTRODUCED BY MESSRS. BURNS, GALLAGHER, J. L. WRIGHT JR. AND  
WILSON, JUNE 20, 1977

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SENATOR REIBMAN, EDUCATION, IN SENATE, AS AMENDED,  
SEPTEMBER 26, 1978

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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," further providing for work to be done  
6 under contract let on bids and making an editorial change.

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

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

12 Section 751. Work to be Done Under Contract Let on Bids;

13 Exception.--(a) All construction, reconstruction, repairs,

14 MAINTENANCE OR SECURITY SERVICES, or work of any nature, <—

15 including the introduction of plumbing, heating and ventilating,

16 or lighting systems, upon any school building or upon any school

17 property, made by any school district, where the entire cost,

18 value, or amount of such construction, reconstruction, repairs,

19 or work, MAINTENANCE OR SECURITY SERVICES, including labor and <—

1 material, shall exceed [one thousand five hundred dollars <—  
2 (\$1500),] TWO THOUSAND FIVE HUNDRED DOLLARS (\$2500), or the <—  
3 award of any contract including personal service contracts to  
4 any person or entity, other than an employe, in connection with  
5 the maintenance and security of school buildings or other school  
6 property, shall be done under separate contracts to be entered  
7 into by such school district with the lowest responsible bidder,  
8 upon proper terms, after due public notice has been given asking  
9 for competitive bids. Whenever a board of school directors shall  
10 approve the use of a prefabricated unit, complete in itself, for  
11 a school building or other proper structure to be erected upon  
12 school property, the board of school directors may have prepared  
13 appropriate specifications detailing the size and material  
14 desired in a particular prefabricated unit, including all  
15 utilities such as plumbing, heating and ventilating, and  
16 electrical work, and may advertise for a single bid on all the  
17 work and award the contract therefor to the lowest responsible  
18 bidder: Provided, That if due to an emergency a school plant or  
19 any part thereof becomes unusable competitive bids for repairs  
20 or replacement may be solicited from at least three responsible  
21 bidders, and upon the approval of any of these bids by the  
22 [State Superintendent of Public Instruction] Secretary of  
23 Education, the board of school directors may proceed at once to  
24 make the necessary repairs or replacements in accordance with  
25 the terms of said approved bid or bids.

26 (b) ~~The~~ EXCEPT AS PROVIDED IN SUBSECTION (C) board of school <—  
27 directors in any school district either may perform any  
28 construction, reconstruction, repairs, or work of any nature,  
29 where the entire cost or value, including labor and material, is  
30 less than five thousand dollars (\$5000), by its own maintenance

1 personnel, or may have any such construction, reconstruction,  
2 repairs, or work performed by contract after soliciting bids  
3 from at least three responsible bidders: Provided, That the  
4 board of school directors in any school district may authorize  
5 the secretary of the board or other executive to award contracts  
6 for construction, reconstruction, repairs, or work of any  
7 nature, where the entire cost or value, including labor and  
8 material, is [one thousand five hundred dollars (\$1500)] TWO <—  
9 THOUSAND FIVE HUNDRED DOLLARS (\$2500) or less, without  
10 soliciting competitive bids. ~~Nothing herein shall prohibit the~~ <—  
11 ~~board of~~ (C) THE BOARD OF school directors of any school <—  
12 ~~district from utilizing~~ MAY UTILIZE ALSO its own maintenance or <—  
13 other personnel to perform maintenance or security work  
14 irrespective of the entire cost or value of such work.

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