

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1019 Session of
1981INTRODUCED BY CORMAN, SHAFFER, STAUFFER, LEWIS AND STOUT,
JULY 1, 1981

AS AMENDED ON THIRD CONSIDERATION, JANUARY 25, 1982

AN ACT

1 Amending the act of July 28, 1953 (P.L.723, No.230), entitled,
2 as amended, "An act relating to counties of the second class
3 and second class A; amending, revising, consolidating and
4 changing the laws relating thereto," further providing for
5 contracts and defining first and second class counties.

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

8 Section 1. Subsection (c) of section 2001, act of July 28,
9 1953 (P.L.723, No.230), known as the "Second Class County Code,"
10 amended November 26, 1978 (P.L.1219, No.290), is amended and a
11 subsection is added to read:

12 Section 2001. County Commissioners to Make Contracts.--* * *

13 (b.1) All bids advertised shall MAY IF REQUIRED BY THE <—
14 COMMISSIONERS be accompanied by cash or by a certified good
15 faith check drawn upon a bank authorized to do business in the
16 Commonwealth, in the AN amount of NOT EXCEEDING five per centum <—
17 (5%) of the bid or by a bond with corporate surety in the amount <—
18 of NOT EXCEEDING five per centum (5%) of the amount bid. In the <—
19 event any bidder shall, upon award of the contract to him, fail

1 to comply with the requirements hereinafter stated as to a bond
2 guaranteeing the performance of the contract, or fail or refuse
3 to enter into a contract, or otherwise fail or refuse to render
4 the required services, the good faith deposit by cash, certified
5 check or bond shall be forfeited to the county as liquidated
6 damages, and the contract subsequently may be awarded to the
7 next lowest bidder, who shall manifest his acceptance of such
8 contract by giving a good faith deposit in the amount and manner
9 set forth in this subsection on or before the third day after
10 the award of the contract to such bidder and otherwise comply
11 with the provisions of this section.

12 (c) The successful bidder, when advertising is required
13 herein, shall be required to furnish a bond with suitable
14 reasonable requirements guaranteeing performance of the
15 contract, with sufficient surety in the amount of fifty per
16 centum (50%) of the amount of the contract, within [sixty (60)]
17 thirty (30) days after the contract has been awarded, unless the
18 commissioners shall prescribe a shorter period [of not less than
19 ten (10) days, and upon]. Upon failure to furnish such bond
20 within such time, the previous awards shall be void and the
21 commissioners may award the contract to the next lowest bidder.
22 Deliveries, accomplishment and guarantees may be required in all
23 cases of expenditures, including the exceptions herein.

24 * * *

25 Section 2. Section 210 of the act, amended October 20, 1967
26 (P.L.472, No.224), is amended to read:

27 Section 210. Counties Divided Into Nine Classes.--For the
28 purposes of legislation and the regulation of their affairs,
29 counties of this Commonwealth, now in existence and those
30 hereafter created, shall be divided into nine classes as

1 follows:

2 (1) First Class Counties, those having a population of
3 [1,800,000] 1,500,000 inhabitants and over.

4 (2) Second Class Counties, those having a population of
5 800,000 and more but less than [1,800,000] 1,500,000
6 inhabitants.

7 (2.1) Second Class A Counties, those having a population of
8 500,000 and more but less than 800,000 inhabitants.

9 (3) Third Class Counties, those having a population of
10 250,000 and more but less than 500,000 inhabitants.

11 (4) Fourth Class Counties, those having a population of
12 150,000 and more but less than 250,000 inhabitants.

13 (5) Fifth Class Counties, those having a population of
14 95,000 and more but less than 150,000 inhabitants.

15 (6) Sixth Class Counties, those having a population of
16 45,000 and more but less than 95,000 inhabitants.

17 (7) Seventh Class Counties, those having a population of
18 20,000 or more but less than 45,000 inhabitants.

19 (8) Eighth Class Counties, those having a population of less
20 than 20,000 inhabitants.

21 Section 3. This act shall take effect in 60 days.