

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 282

Session of
2011

INTRODUCED BY M. K. KELLER, AUMENT, BAKER, BEAR, BENNINGHOFF, BLOOM, BOBACK, BOYD, BROOKS, CAUSER, CHRISTIANA, CLYMER, COX, CREIGHTON, CUTLER, DELOZIER, DENLINGER, ELLIS, EVERETT, FARRY, FLECK, GABLER, GEIST, GILLESPIE, GINGRICH, GRELL, GROVE, HALUSKA, HARHART, HARPER, HARRIS, HELM, HENNESSEY, HESS, HICKERNELL, KAUFFMAN, KILLION, KNOWLES, MAJOR, MARSHALL, MARSICO, MASSER, METCALFE, MILLARD, MILLER, MOUL, OBERLANDER, O'NEILL, PAYNE, PEIFER, PERRY, PICKETT, PYLE, QUIGLEY, QUINN, RAPP, REED, REICHLEY, ROAE, ROCK, ROSS, SAYLOR, SCAVELLO, CULVER, SCHRODER, SIMMONS, SONNEY, STERN, STEVENSON, SWANGER, TALLMAN, TOBASH, TRUITT, TURZAI, VEREB, VULAKOVICH, WATSON AND F. KELLER, JANUARY 27, 2011

SENATOR EICHELBERGER, LOCAL GOVERNMENT, IN SENATE, AS AMENDED,
SEPTEMBER 27, 2011

AN ACT

1 Amending the act of May 27, 1953 (P.L.244, No.34), entitled "An
2 act relating to and regulating the contracts of incorporated
3 towns and providing penalties," further providing for
4 regulation of contracts; providing for annual adjustment;
5 further providing for evasion of advertising requirements,
6 for contracts between \$750 and \$10,000 and for separate bids
7 for plumbing, heating, ventilating and electrical work.

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

10 ~~Section 1. Section 2(a) and (d)(2) of the act of May 27,~~ ←
11 ~~1953 (P.L.244, No.34), entitled "An act relating to and~~
12 ~~regulating the contracts of incorporated towns and providing~~
13 ~~penalties," amended July 10, 1990 (P.L.392, No.93) and December~~
14 ~~18, 1996 (P.L.1140, No.17), are amended to read:~~

~~Section 2. Regulation of Contracts. (a) All contracts or purchases of incorporated towns in excess of [ten thousand dollars] the base amount of twenty five thousand dollars subject to annual adjustment under section 2.1, except those hereinafter mentioned, shall not be made except with and from the lowest responsible bidder, after due notice in one newspaper of general circulation published or circulated in the county in which the town is situated at least three times at intervals of not less than three days where daily newspapers of general circulation are available for such publication, and in case of weekly newspapers shall be published once a week for two successive weeks. The first advertisement shall be published not less than ten days prior to the date fixed for the opening of bids. The amount of the contract shall in all cases, whether of straight sale price, conditional sale, bailment lease or otherwise, be the entire amount which the town pays to the successful bidder or his assigns in order to obtain the services or property or both, and shall not be construed to mean only the amount which is paid to acquire title or to receive any other particular benefit or benefits of the whole bargain.~~

SECTION 1. SECTION 2 (A) AND (D) (2) OF THE ACT OF MAY 27, 1953 (P.L.244, NO.34), ENTITLED "AN ACT RELATING TO AND REGULATING THE CONTRACTS OF INCORPORATED TOWNS AND PROVIDING PENALTIES," AMENDED JULY 10, 1990 (P.L.392, NO.93) AND DECEMBER 18, 1996 (P.L.1140, NO.170), ARE AMENDED TO READ:

SECTION 2. REGULATION OF CONTRACTS.-- (A) ALL CONTRACTS OR PURCHASES OF INCORPORATED TOWNS IN EXCESS OF [TEN THOUSAND DOLLARS] THE BASE AMOUNT OF EIGHTEEN THOUSAND FIVE HUNDRED DOLLARS SUBJECT TO ADJUSTMENT UNDER SECTION 2.1, EXCEPT THOSE HEREINAFTER MENTIONED, SHALL NOT BE MADE EXCEPT WITH AND FROM

1 THE LOWEST RESPONSIBLE BIDDER, AFTER DUE NOTICE IN ONE NEWSPAPER
2 OF GENERAL CIRCULATION PUBLISHED OR CIRCULATED IN THE COUNTY IN
3 WHICH THE TOWN IS SITUATED AT LEAST THREE TIMES AT INTERVALS OF
4 NOT LESS THAN THREE DAYS WHERE DAILY NEWSPAPERS OF GENERAL
5 CIRCULATION ARE AVAILABLE FOR SUCH PUBLICATION, AND IN CASE OF
6 WEEKLY NEWSPAPERS SHALL BE PUBLISHED ONCE A WEEK FOR TWO
7 SUCCESSIVE WEEKS. THE FIRST ADVERTISEMENT SHALL BE PUBLISHED NOT
8 LESS THAN TEN DAYS PRIOR TO THE DATE FIXED FOR THE OPENING OF
9 BIDS. THE AMOUNT OF THE CONTRACT SHALL IN ALL CASES, WHETHER OF
10 STRAIGHT SALE PRICE, CONDITIONAL SALE, BAILMENT LEASE OR
11 OTHERWISE, BE THE ENTIRE AMOUNT WHICH THE TOWN PAYS TO THE
12 SUCCESSFUL BIDDER OR HIS ASSIGNS IN ORDER TO OBTAIN THE SERVICES
13 OR PROPERTY OR BOTH, AND SHALL NOT BE CONSTRUED TO MEAN ONLY THE
14 AMOUNT WHICH IS PAID TO ACQUIRE TITLE OR TO RECEIVE ANY OTHER
15 PARTICULAR BENEFIT OR BENEFITS OF THE WHOLE BARGAIN.

16 * * *

17 (d) The contracts or purchases made by council, which shall
18 not require advertising, bidding or price quotations as
19 hereinbefore provided, are as follows:

20 * * *

21 (2) Those made for improvements, repairs and maintenance of
22 any kind made or provided by any incorporated town through its
23 own employees: Provided, That all materials used for street
24 improvement, maintenance and/or construction in excess of [four]
25 A BASE AMOUNT OF ten thousand dollars be subject to the relevant
26 price quotation or advertising requirements contained herein and
27 to annual adjustment under section 2.1.

28 * * *

29 ~~Section 2. The act is amended by adding a section to read:~~

30 ~~Section 2.1. Annual Adjustment.~~

~~Adjustments to the base amounts specified under sections 2(a) and (d)(2), 3(a), 3.1(b) and 5 shall be made as follows:~~

~~(1) The Department of Labor and Industry shall determine the percentage change in the All Items Consumer Price Index for All Urban Consumers (CPI-U) for the United States City Average as published by the United States Department of Labor, Bureau of Labor Statistics for the twelve month period ending September 30 of the calendar year in which this section becomes effective, and for each successive twelve month period thereafter.~~

~~(2) If the department determines that there is no positive percentage change, then no adjustment to the base amounts shall occur for the relevant time period provided for in this section.~~

~~(3) (i) If the department determines that there is a positive percentage change in the first year that the determination is made under paragraph (1), the positive percentage change shall be multiplied by each base amount and the products shall be added to the base amounts, respectively, and the sums shall be preliminary adjusted amounts.~~

~~(ii) The preliminary adjusted amounts shall be rounded to the nearest one thousand dollars, to determine the final adjusted base amounts for purposes of sections 2(a) and (d)(2), 3(a), 3.1(b) and 5.~~

~~(4) In each successive year in which there is a positive percentage change in the CPI-U for the United States City Average, the positive percentage change shall be multiplied by the most recent preliminary adjusted amounts and the products shall be added to the most recent preliminary adjusted amounts, respectively. The sums thereof shall be rounded to the nearest one thousand dollars to determine the new final adjusted base amounts for purposes of sections 2(a) and (d)(2), 3(a), 3.1(b)~~

1 ~~and 5.~~

2 ~~(5) The determinations and adjustments required under this~~
3 ~~section shall be made in the period between October 1 and~~
4 ~~November 15 of the year following the effective date of this~~
5 ~~section, and annually between October 1 and November 15 of each~~
6 ~~year thereafter.~~

7 ~~(6) The final adjusted base amounts and new final adjusted~~
8 ~~base amounts obtained under paragraphs (3) and (4) shall become~~
9 ~~effective January 1 for the calendar year following the year in~~
10 ~~which the determination required under paragraph (1) is made.~~

11 ~~(7) The department shall publish notice in the Pennsylvania~~
12 ~~Bulletin prior to January 1 of each calendar year of the annual~~
13 ~~percentage change determined under paragraph (1) and the~~
14 ~~unadjusted or final adjusted base amounts determined under~~
15 ~~paragraphs (3) and (4) for purposes of sections 2(a) and (d)(2),~~
16 ~~3(a), 3.1(b) and 5 for the calendar year beginning the first day~~
17 ~~of January after publication of the notice. The notice shall~~
18 ~~include a written and illustrative explanation of the~~
19 ~~calculations performed by the department in establishing the~~
20 ~~unadjusted or final adjusted base amounts under this section for~~
21 ~~the ensuing calendar year.~~

22 ~~Section 3. Section 3 of the act, amended July 10, 1990~~
23 ~~(P.L.392, No.93), is amended to read:~~

24 ~~Section 3. Evasion of Advertising Requirements. (a) No~~
25 ~~member or members of council shall evade the provisions of~~
26 ~~Section two hereof by purchasing or contracting for services and~~
27 ~~personal properties piecemeal for the purpose of obtaining~~
28 ~~prices under [ten thousand dollars] the base amount of twenty~~
29 ~~five thousand dollars subject to annual adjustment under section~~
30 ~~2.1 upon transactions which transaction should, in the exercise~~

~~of reasonable discretion and prudence, be conducted as one transaction amounting to more than [ten thousand dollars] the base amount of twenty five thousand dollars subject to annual adjustment under section 2.1. This provision is intended to make unlawful the evading of advertising requirements by making a series of purchases or contracts each for less than the advertising requirement of price, or by making several simultaneous purchases or contracts each below said price, when, in either case, the transactions involved should have been made as one transaction for one price. Any members of council who so vote in violation of this provision and who know that the transaction upon which they so vote is or ought to be a part of a larger transaction and that it is being divided in order to evade the requirements as to advertising for bids shall be jointly and severally subject to surcharge for ten per centum of the full amount of the contract or purchase.~~

~~(b) Whenever it shall appear that a member of council may have voted in violation of this section but the purchase or contract on which he so voted was not approved by council, this section shall be inapplicable.~~

~~(c) Any council member who votes to unlawfully evade the provisions of section 2 and who knows that the transaction upon which he so votes is or ought to be a part of a larger transaction and that it is being divided in order to evade the requirements as to advertising for bids commits a misdemeanor of the third degree for each contract entered into as a direct result of that vote. This penalty shall be in addition to any surcharge which may be assessed pursuant to subsection (a).~~

~~Section 4. Section 3.1 of the act, amended July 10, 1990 (P.L.392, No.93) and repealed in part December 18, 1996~~

~~(P.L.1140, No.170), is amended to read:~~

~~Section 3.1. Contracts between Seven Hundred Fifty Dollars and [Ten thousand] Twenty five Thousand Dollars; Written Bids.~~

~~(b) Written or telephonic price quotations from at least three qualified and responsible contractors shall be requested for all contracts that [exceed four thousand dollars] are in excess of the base amount of ten thousand dollars subject to annual adjustment under section 2.1 but are less than the amount requiring advertisement and competitive bidding or, in lieu of price quotations, a memorandum shall be kept on file showing that fewer than three qualified contractors exist in the market area within which it is practicable to obtain quotations. A written record of telephonic price quotations shall be made and shall contain at least the date of the quotation, the name of the contractor and the contractor's representative, the construction, reconstruction, repair, maintenance or work which was the subject of the quotation and the price. Written price quotations, written records of telephonic price quotations and memoranda shall be retained for a period of three years.~~

~~Section 5. Section 5 of the act, amended July 10, 1990 (P.L.392, No.93), is amended to read:~~

~~Section 5. Separate Bids for Plumbing, Heating, Ventilating and Electrical Work. In the preparation for the erection, construction and alteration of any public building of an incorporated town, when the entire cost of such work shall [exceed ten thousand dollars] be in excess of the base amount of twenty five thousand dollars subject to annual adjustment under section 2.1, the architect, engineer or other person preparing such specifications shall prepare separate specifications for the plumbing, heating, ventilating and electrical work. The~~

~~person or persons authorized to enter into contracts for the erection, construction or alteration of such public buildings shall receive separate bids upon each of the said branches of work and award the contract for the same to the lowest responsible bidder for each of said branches.~~

~~Section 6. This act shall apply to contracts and purchases advertised on or after January 1 of the year following the effective date of this section.~~

~~Section 7. This act shall take effect immediately.~~

SECTION 2. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

SECTION 2.1. ADJUSTMENT.--ADJUSTMENTS TO THE BASE AMOUNTS SPECIFIED UNDER SECTION 2 SHALL BE MADE AS FOLLOWS:

(1) THE DEPARTMENT OF LABOR AND INDUSTRY SHALL DETERMINE THE PERCENTAGE CHANGE IN THE ALL ITEMS CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS (CPI-U) FOR THE UNITED STATES CITY AVERAGE AS PUBLISHED BY THE UNITED STATES DEPARTMENT OF LABOR, BUREAU OF LABOR STATISTICS FOR THE TWELVE-MONTH PERIOD ENDING SEPTEMBER 30, 2012, AND FOR EACH SUCCESSIVE TWELVE-MONTH PERIOD THEREAFTER.

(2) IF THE DEPARTMENT DETERMINES THAT THERE IS NO POSITIVE PERCENTAGE CHANGE, THEN NO ADJUSTMENT TO THE BASE AMOUNTS SHALL OCCUR FOR THE RELEVANT TIME PERIOD PROVIDED FOR IN THIS SECTION.

(3) (I) IF THE DEPARTMENT DETERMINES THAT THERE IS A POSITIVE PERCENTAGE CHANGE IN THE FIRST YEAR THAT THE DETERMINATION IS MADE UNDER PARAGRAPH (1), THE POSITIVE PERCENTAGE CHANGE SHALL BE MULTIPLIED BY EACH BASE AMOUNT AND THE PRODUCTS SHALL BE ADDED TO THE BASE AMOUNTS, RESPECTIVELY, AND THE SUMS SHALL BE PRELIMINARY ADJUSTED AMOUNTS.

(II) THE PRELIMINARY ADJUSTED AMOUNTS SHALL BE ROUNDED TO THE NEAREST ONE HUNDRED DOLLARS, TO DETERMINE THE FINAL ADJUSTED

1 BASE AMOUNTS FOR PURPOSES OF SECTION 2.

2 (4) IN EACH SUCCESSIVE YEAR IN WHICH THERE IS A POSITIVE
3 PERCENTAGE CHANGE IN THE CPI-U FOR THE UNITED STATES CITY
4 AVERAGE, THE POSITIVE PERCENTAGE CHANGE SHALL BE MULTIPLIED BY
5 THE MOST RECENT PRELIMINARY ADJUSTED AMOUNTS AND THE PRODUCTS
6 SHALL BE ADDED TO THE PRELIMINARY ADJUSTED AMOUNT OF THE PRIOR
7 YEAR TO CALCULATE THE PRELIMINARY ADJUSTED AMOUNTS FOR THE
8 CURRENT YEAR. THE SUMS THEREOF SHALL BE ROUNDED TO THE NEAREST
9 ONE HUNDRED DOLLARS TO DETERMINE THE NEW FINAL ADJUSTED BASE
10 AMOUNTS FOR PURPOSES OF SECTION 2.

11 (5) THE DETERMINATIONS AND ADJUSTMENTS REQUIRED UNDER THIS
12 SECTION SHALL BE MADE IN THE PERIOD BETWEEN OCTOBER 1 AND
13 NOVEMBER 15 OF THE YEAR FOLLOWING THE EFFECTIVE DATE OF THIS
14 SECTION, AND ANNUALLY BETWEEN OCTOBER 1 AND NOVEMBER 15 OF EACH
15 YEAR THEREAFTER.

16 (6) THE FINAL ADJUSTED BASE AMOUNTS AND NEW FINAL ADJUSTED
17 BASE AMOUNTS OBTAINED UNDER PARAGRAPHS (3) AND (4) SHALL BECOME
18 EFFECTIVE JANUARY 1 FOR THE CALENDAR YEAR FOLLOWING THE YEAR IN
19 WHICH THE DETERMINATION REQUIRED UNDER PARAGRAPH (1) IS MADE.

20 (7) THE DEPARTMENT SHALL PUBLISH NOTICE IN THE PENNSYLVANIA
21 BULLETIN PRIOR TO JANUARY 1 OF EACH CALENDAR YEAR OF THE ANNUAL
22 PERCENTAGE CHANGE DETERMINED UNDER PARAGRAPH (1) AND THE
23 UNADJUSTED OR FINAL ADJUSTED BASE AMOUNTS DETERMINED UNDER
24 PARAGRAPHS (3) AND (4) AT WHICH COMPETITIVE BIDDING AND WRITTEN
25 OR TELEPHONIC PRICE QUOTATIONS ARE REQUIRED UNDER SECTION 2,
26 RESPECTIVELY, FOR THE CALENDAR YEAR BEGINNING THE FIRST DAY OF
27 JANUARY AFTER PUBLICATION OF THE NOTICE. THE NOTICE SHALL
28 INCLUDE A WRITTEN AND ILLUSTRATIVE EXPLANATION OF THE
29 CALCULATIONS PERFORMED BY THE DEPARTMENT IN ESTABLISHING THE
30 UNADJUSTED OR FINAL ADJUSTED BASE AMOUNTS UNDER THIS SECTION FOR

1 THE ENSUING CALENDAR YEAR.

2 (8) THE ANNUAL INCREASE IN THE PRELIMINARY ADJUSTED BASE
3 AMOUNTS OBTAINED UNDER PARAGRAPHS (3) AND (4) SHALL NOT EXCEED
4 THREE PER CENTUM.

5 SECTION 3. SECTION 3 OF THE ACT, AMENDED JULY 10, 1990
6 (P.L.392, NO.93), IS AMENDED TO READ:

7 SECTION 3. EVASION OF ADVERTISING REQUIREMENTS.--(A) NO
8 MEMBER OR MEMBERS OF COUNCIL SHALL EVADE THE PROVISIONS OF
9 [SECTION TWO HEREOF] SECTION 2 BY PURCHASING OR CONTRACTING FOR
10 SERVICES AND PERSONAL PROPERTIES PIECEMEAL FOR THE PURPOSE OF
11 OBTAINING PRICES UNDER [TEN THOUSAND DOLLARS] THE BASE AMOUNT OF
12 EIGHTEEN THOUSAND FIVE HUNDRED DOLLARS SUBJECT TO ADJUSTMENT
13 UNDER SECTION 2.1 UPON TRANSACTIONS WHICH TRANSACTION SHOULD, IN
14 THE EXERCISE OF REASONABLE DISCRETION AND PRUDENCE, BE CONDUCTED
15 AS ONE TRANSACTION AMOUNTING TO A BASE AMOUNT OF MORE THAN [TEN
16 THOUSAND DOLLARS] EIGHTEEN THOUSAND FIVE HUNDRED DOLLARS SUBJECT
17 TO ADJUSTMENT UNDER SECTION 2.1. THIS PROVISION IS INTENDED TO
18 MAKE UNLAWFUL THE EVADING OF ADVERTISING REQUIREMENTS BY MAKING
19 A SERIES OF PURCHASES OR CONTRACTS EACH FOR LESS THAN THE
20 ADVERTISING REQUIREMENT OF PRICE, OR BY MAKING SEVERAL
21 SIMULTANEOUS PURCHASES OR CONTRACTS EACH BELOW SAID PRICE, WHEN,
22 IN EITHER CASE, THE TRANSACTIONS INVOLVED SHOULD HAVE BEEN MADE
23 AS ONE TRANSACTION FOR ONE PRICE. ANY MEMBERS OF COUNCIL WHO SO
24 VOTE IN VIOLATION OF THIS PROVISION AND WHO KNOW THAT THE
25 TRANSACTION UPON WHICH THEY SO VOTE IS OR OUGHT TO BE A PART OF
26 A LARGER TRANSACTION AND THAT IT IS BEING DIVIDED IN ORDER TO
27 EVADE THE REQUIREMENTS AS TO ADVERTISING FOR BIDS SHALL BE
28 JOINTLY AND SEVERALLY SUBJECT TO SURCHARGE FOR TEN PER CENTUM OF
29 THE FULL AMOUNT OF THE CONTRACT OR PURCHASE.

30 (B) WHENEVER IT SHALL APPEAR THAT A MEMBER OF COUNCIL MAY

1 HAVE VOTED IN VIOLATION OF THIS SECTION BUT THE PURCHASE OR
2 CONTRACT ON WHICH HE SO VOTED WAS NOT APPROVED BY COUNCIL, THIS
3 SECTION SHALL BE INAPPLICABLE.

4 (C) ANY COUNCIL MEMBER WHO VOTES TO UNLAWFULLY EVADE THE
5 PROVISIONS OF SECTION 2 AND WHO KNOWS THAT THE TRANSACTION UPON
6 WHICH HE SO VOTES IS OR OUGHT TO BE A PART OF A LARGER
7 TRANSACTION AND THAT IT IS BEING DIVIDED IN ORDER TO EVADE THE
8 REQUIREMENTS AS TO ADVERTISING FOR BIDS COMMITS A MISDEMEANOR OF
9 THE THIRD DEGREE FOR EACH CONTRACT ENTERED INTO AS A DIRECT
10 RESULT OF THAT VOTE. THIS PENALTY SHALL BE IN ADDITION TO ANY
11 SURCHARGE WHICH MAY BE ASSESSED PURSUANT TO SUBSECTION (A).

12 SECTION 4. SECTION 3.1 OF THE ACT, AMENDED JULY 10, 1990
13 (P.L.392, NO.93) AND REPEALED IN PART DECEMBER 18, 1996 (P.L.
14 1140, NO.170), IS AMENDED TO READ:

15 SECTION 3.1. [CONTRACTS BETWEEN SEVEN HUNDRED FIFTY DOLLARS
16 AND TEN THOUSAND DOLLARS; WRITTEN BIDS.--] WRITTEN OR TELEPHONIC
17 PRICE QUOTATIONS.--

18 (B) WRITTEN OR TELEPHONIC PRICE QUOTATIONS FROM AT LEAST
19 THREE QUALIFIED AND RESPONSIBLE CONTRACTORS SHALL BE REQUESTED
20 FOR ALL CONTRACTS [THAT EXCEED FOUR THOUSAND DOLLARS] IN EXCESS
21 OF THE BASE AMOUNT OF TEN THOUSAND DOLLARS SUBJECT TO ADJUSTMENT
22 UNDER SECTION 2.1 BUT ARE LESS THAN THE AMOUNT REQUIRING
23 ADVERTISEMENT AND COMPETITIVE BIDDING OR, IN LIEU OF PRICE
24 QUOTATIONS, A MEMORANDUM SHALL BE KEPT ON FILE SHOWING THAT
25 FEWER THAN THREE QUALIFIED CONTRACTORS EXIST IN THE MARKET AREA
26 WITHIN WHICH IT IS PRACTICABLE TO OBTAIN QUOTATIONS. A WRITTEN
27 RECORD OF TELEPHONIC PRICE QUOTATIONS SHALL BE MADE AND SHALL
28 CONTAIN AT LEAST THE DATE OF THE QUOTATION, THE NAME OF THE
29 CONTRACTOR AND THE CONTRACTOR'S REPRESENTATIVE, THE
30 CONSTRUCTION, RECONSTRUCTION, REPAIR, MAINTENANCE OR WORK WHICH

1 WAS THE SUBJECT OF THE QUOTATION AND THE PRICE. WRITTEN PRICE
2 QUOTATIONS, WRITTEN RECORDS OF TELEPHONIC PRICE QUOTATIONS AND
3 MEMORANDA SHALL BE RETAINED FOR A PERIOD OF THREE YEARS.

4 SECTION 5. SECTION 5 OF THE ACT, AMENDED JULY 10, 1990 (P.L.
5 392, NO.93), IS AMENDED TO READ:

6 SECTION 5. SEPARATE BIDS FOR PLUMBING, HEATING, VENTILATING
7 AND ELECTRICAL WORK.--IN THE PREPARATION FOR THE ERECTION,
8 CONSTRUCTION AND ALTERATION OF ANY PUBLIC BUILDING OF AN
9 INCORPORATED TOWN, WHEN THE ENTIRE COST OF SUCH WORK SHALL
10 EXCEED [TEN THOUSAND DOLLARS] A BASE AMOUNT OF EIGHTEEN THOUSAND
11 FIVE HUNDRED DOLLARS SUBJECT TO ADJUSTMENT UNDER SECTION 2.1,
12 THE ARCHITECT, ENGINEER OR OTHER PERSON PREPARING SUCH
13 SPECIFICATIONS SHALL PREPARE SEPARATE SPECIFICATIONS FOR THE
14 PLUMBING, HEATING, VENTILATING AND ELECTRICAL WORK. THE PERSON
15 OR PERSONS AUTHORIZED TO ENTER INTO CONTRACTS FOR THE ERECTION,
16 CONSTRUCTION OR ALTERATION OF SUCH PUBLIC BUILDINGS SHALL
17 RECEIVE SEPARATE BIDS UPON EACH OF THE SAID BRANCHES OF WORK AND
18 AWARD THE CONTRACT FOR THE SAME TO THE LOWEST RESPONSIBLE BIDDER
19 FOR EACH OF SAID BRANCHES.

20 SECTION 6. THIS ACT SHALL APPLY TO CONTRACTS AND PURCHASES
21 ADVERTISED ON OR AFTER JANUARY 1 OF THE YEAR FOLLOWING THE
22 EFFECTIVE DATE OF THIS SECTION.

23 SECTION 7. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.