

BOND REQUIRED FOR PUBLIC WORKS PROJECTS
Act of Jun. 22, 1931, P.L. 880, No. 293
AN ACT

Cl. 53

Supplementary to an act, approved March seventh, one thousand nine hundred and one (Pamphlet Laws, twenty), entitled "An act for the government of cities of the second class," as amended by the act of June twentieth, one thousand nine hundred and one, authorizing the appointment of a deputy mayor, and limiting and prescribing his powers and duties.

Section 1. Municipality defined

The word "municipality," as used in this act, shall be construed to mean and include a county of the first class, city, incorporated town, and poor district. 1931, June 22, P.L. 880, Sec. 1.

Section 2. Contractor required to give bond for use of labor and materialmen; suit on bond

It shall be the duty of every municipality to require any person, co-partnership, association, or corporation, entering into a contract with such municipality for the construction, erection, installation, completion, alteration, repair of, or addition to, any public work or improvement of any kind whatsoever, where the amount of such contract is in excess of one thousand (\$1,000) dollars, before commencing work under such contract, to execute and deliver to such municipality, in addition to any other bond which may now or hereafter be required by law to be given in connection with such contract, an additional bond, for the use of any and every person, co-partnership, association, or corporation interested, in a sum not less than fifty per centum (50%) and not more than one hundred per centum (100%) of the contract price as such municipality may prescribe, having as surety thereon one or more surety companies legally authorized to do business in this Commonwealth, conditioned for the prompt payment of all material furnished and labor supplied or performed in the prosecution of the work, whether or not the said material or labor enter into and become component parts of the work or improvement contemplated. Such additional bond shall be deposited with and held by the municipality for the use of any party interested therein. Every such additional bond shall provide that every person, co-partnership, association, or corporation who, whether as subcontractor or otherwise, has furnished material or supplied or performed labor in the prosecution of the work as above provided, and who has not been paid therefor, may sue in assumpsit on said additional bond, in the name of the municipality, for his, their, or its use, and prosecute the same to final judgment, for such sum or sums as may be justly due him, them, or it and have execution thereon: Provided, however, That the municipality shall not be liable for the payment of any costs or expense of any suit. 1931, June 22, P.L. 880, Sec. 2; 1955, July 22, P.L. 271, Sec. 1.