

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE BILL

## No. 995

Session of  
1989

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INTRODUCED BY BORTNER, VAN HORNE, ANGSTADT, CALTAGIRONE,  
CAPPABIANCA, BLACK, RITTER, WOZNIAK, PRESSMANN, WAMBACH,  
STEIGHNER, LETTERMAN, BROUJOS, DOMBROWSKI, SCHULER, DEMPSEY,  
BOYES, MOEHLMANN, MERRY, TRELLO, MICHLOVIC, MORRIS,  
LEVANSKY, BUNT, COLAIZZO, LINTON AND SERAFINI, APRIL 4, 1989

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AS REPORTED FROM COMMITTEE ON URBAN AFFAIRS, HOUSE OF  
REPRESENTATIVES, AS AMENDED, OCTOBER 11, 1989

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### AN ACT

1 Amending the act of June 23, 1931 (P.L.932, No.317), entitled  
2 "An act relating to cities of the third class; and amending,  
3 revising, and consolidating the law relating thereto,"  
4 granting the mayor the authority to determine whether or not  
5 security should accompany bids submitted in response to  
6 advertisement.

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

9 Section 1. Section 1901(f) of the act of June 23, 1931  
10 (P.L.932, No.317), known as The Third Class City Code, reenacted  
11 and amended June 28, 1951 (P.L.662, No.164) and amended  
12 September 17, 1959 (P.L.906, No.359), is amended to read:

13 Section 1901. Power to Make Contracts; Regulations  
14 Concerning Contracts.--\* \* \*

15 (f) [All bids advertised for shall be accompanied by cash,  
16 by a certified or cashier's good faith check in an amount  
17 required by council but at least ten per centum of the bid, or  
18 by a bond with corporate surety in such amount as council shall

1 determine but not less than ten per centum of the amount bid.]  
2 ~~The mayor or his designee~~ COUNCIL may require that any bids so  
3 advertised be accompanied by cash, by a certified or cashier's  
4 good faith check OR OTHER IRREVOCABLE LETTER OF CREDIT in an  
5 acceptable amount, or by a bond with corporate surety in an  
6 acceptable amount. Whenever it is required that a bid be  
7 accompanied by cash, certified check ~~or~~, cashier's good faith  
8 check OR OTHER IRREVOCABLE LETTER OF CREDIT, no bid shall be  
9 considered unless so accompanied. In the event any bidder shall,  
10 upon award of the contract to him, fail to comply with the  
11 requirements hereinafter stated as to a bond guaranteeing the  
12 performance of the contract the good faith deposit by cash,  
13 certified check, or bond, shall be forfeited to the city as  
14 liquidated damages.

15 \* \* \*

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