

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2276 Session of
1988

INTRODUCED BY TRELLO, MAYERNIK, VAN HORNE, KENNEY, CORRIGAN,
BURD, DALEY, DISTLER, R. C. WRIGHT, HOWLETT AND OLASZ,
MARCH 22, 1988

REFERRED TO COMMITTEE ON EDUCATION, MARCH 22, 1988

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," increasing the amount of work of any
6 nature which can be performed on property owned by a school
7 district without advertising and without competitive bids.

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

10 Section 1. Section 751(a) and (b) of the act of March 10,
11 1949 (P.L.30, No.14), known as the Public School Code of 1949,
12 amended February 4, 1982 (P.L.1, No.1) and June 29, 1984
13 (P.L.438, No.93), are amended to read:

14 Section 751. Work to be Done Under Contract Let on Bids;
15 Exception.--(a) All construction, reconstruction, repairs,
16 maintenance or work of any nature, including the introduction of
17 plumbing, heating and ventilating, or lighting systems, upon any
18 school building or upon any school property, or upon any
19 building or portion of a building leased under the provisions of
20 section 703.1, made by any school district, where the entire

1 cost, value, or amount of such construction, reconstruction,
2 repairs, maintenance or work, including labor and material,
3 shall exceed [four thousand dollars (\$4,000)] ten thousand
4 dollars (\$10,000), shall be done under separate contracts to be
5 entered into by such school district with the lowest responsible
6 bidder, upon proper terms, after due public notice has been
7 given asking for competitive bids. Whenever a board of school
8 directors shall approve the use of a prefabricated unit,
9 complete in itself, for a school building or other proper
10 structure to be erected upon school property, the board of
11 school directors may have prepared appropriate specifications
12 detailing the size and material desired in a particular
13 prefabricated unit, including all utilities such as plumbing,
14 heating and ventilating, and electrical work, and may advertise
15 for a single bid on all the work and award the contract therefor
16 to the lowest responsible bidder: Provided, That if due to an
17 emergency a school plant or any part thereof becomes unusable
18 competitive bids for repairs or replacement may be solicited
19 from at least three responsible bidders, and upon the approval
20 of any of these bids by the Secretary of Education, the board of
21 school directors may proceed at once to make the necessary
22 repairs or replacements in accordance with the terms of said
23 approved bid or bids.

24 (b) The board of school directors in any school district may
25 perform any construction, reconstruction, repairs, or work of
26 any nature, where the entire cost or value, including labor and
27 material, is less than five thousand dollars (\$5000), by its own
28 maintenance personnel. [The board may have any such
29 construction, reconstruction, repairs, or work up to ten
30 thousand dollars (\$10,000) performed by contract after

1 soliciting bids from at least three responsible bidders:
2 Provided, That the] The board of school directors in any school
3 district may authorize the secretary of the board or other
4 executive to award contracts for construction, reconstruction,
5 repairs, or work of any nature, where the entire cost or value,
6 including labor and material, is [four thousand dollars
7 (\$4,000)] ten thousand dollars (\$10,000) or less, without
8 soliciting competitive bids.

9 * * *

10 Section 2. Section 807.1 of the act, amended February 4,
11 1982 (P.L.1, No.1), is amended to read:

12 Section 807.1. Purchase of Supplies.--All furniture,
13 equipment, textbooks, school supplies and other appliances for
14 the use of the public schools, costing [four thousand dollars
15 (\$4,000)] ten thousand dollars (\$10,000) or more shall be
16 purchased by the board of school directors only after due
17 advertisement as hereinafter provided. Supplies costing [four
18 thousand dollars (\$4,000)] ten thousand dollars (\$10,000) or
19 more shall be purchased by the board of school directors only
20 after public notice has been given by advertisement once a week
21 for three (3) weeks in not less than two (2) newspapers of
22 general circulation. In any district where no newspaper is
23 published, said notice may, in lieu of such publication, be
24 posted in at least five (5) public places.

25 The board of school directors shall accept the bid of the
26 lowest responsible bidder, kind, quality, and material being
27 equal, but shall have the right to reject any and all bids, or
28 select a single item from any bid. The board of school directors
29 in any district may authorize or appoint the secretary of the
30 board or other executive as purchasing agent for the district,

1 with authority to purchase supplies costing less than [four
2 thousand dollars (\$4,000)] ten thousand dollars (\$10,000).

3 The following shall be exempt from the above provisions:
4 maps, music, globes, charts, educational films, filmstrips,
5 prepared transparencies and slides, pre-recorded magnetic tapes
6 and disc recordings, textbooks, games, toys, prepared kits,
7 flannel board materials, flash cards, models, projectuals and
8 teacher demonstration devices necessary for school use.

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