

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1793 Session of
1975

INTRODUCED BY PYLES, VROON, W. W. FOSTER, W. D. HUTCHINSON,
DOYLE AND MENHORN, OCTOBER 1, 1975

REFERRED TO COMMITTEE ON STATE GOVERNMENT, OCTOBER 1, 1975

AN ACT

1 Amending the act of July 5, 1947 (P.L.1217, No.498), entitled
2 "An act to promote the education and educational facilities
3 of the people of the Commonwealth of Pennsylvania; creating a
4 State Public School Building Authority as a body corporate
5 and politic with power to construct, improve and operate
6 projects and to lease the same and to fix and collect fees,
7 rentals and charges for the use thereof; authorizing school
8 districts to enter into contracts to lease; authorizing and
9 regulating the issuance of bonds by said Authority; and
10 providing for the payment of such bonds and the rights of the
11 holders thereof; granting the right of eminent domain;
12 increasing the powers and duties of the Department of Public
13 Instruction; and providing that no debt of the Commonwealth
14 shall be incurred in the exercise of any of the powers
15 granted under this act; and making an appropriation to said
16 Authority to pay expenses incident to its formation," further
17 providing for award of contracts.

18 The General Assembly of the Commonwealth of Pennsylvania
19 hereby enacts as follows:

20 Section 1. The first paragraph of section 10, act of July 5,
21 1947 (P.L.1217, No.498), known as the "State Public School
22 Building Authority Act," amended April 20, 1949 (P.L.636,
23 No.142), is amended to read:

24 Section 10. Competition in Award of Contracts.--If any
25 project or any portion thereof, or any improvement thereof,

1 shall be constructed pursuant to a contract, and the estimated
2 cost thereof exceeds [five hundred dollars (\$500),] two thousand
3 (\$2,000), such contract shall be awarded to the lowest
4 responsible bidder after advertisement for bids once a week for
5 three weeks in at least one newspaper of general circulation in
6 the county where the project or improvement is located. The
7 Authority may make rules and regulations for the submission of
8 bids and the construction or improvement of any project or
9 portion thereof. No contract shall be entered into for
10 construction or improvement of any project or portion thereof,
11 or for the purchase of materials, unless the contractor shall
12 give an undertaking with a sufficient surety or sureties
13 approved by the Authority, and in an amount fixed by the
14 Authority, for the faithful performance of the contract, and
15 such contract shall be accompanied by an additional bond for the
16 protection of those who furnish labor and material, for such
17 amount and subject to the same terms and conditions as
18 recommended by The Administrative Code of one thousand nine
19 hundred twenty-nine, as amended, on contracts entered into by
20 the Department of Property and Supplies for the erection of
21 buildings. All construction contracts shall provide, among other
22 things, that the person or corporation entering into such
23 contract with the Authority will pay for all materials furnished
24 and services rendered, for the performance of the contract, and
25 that any person or corporation furnishing such materials or
26 rendering such services may maintain an action to recover for
27 the same against the obligor in the undertaking as though such
28 person or corporation was named therein, provided the action is
29 brought within one year after the time the cause of action
30 accrued. Nothing in this section shall be construed to limit the

1 power of the Authority to construct any project or portion
2 thereof or any addition, betterment or extension thereto,
3 directly by the officers, agents and employes of the Authority,
4 or otherwise than by contract.

5 * * *

6 Section 2. This act shall take effect immediately.