

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1825

Session of
1977

INTRODUCED BY MESSRS. DeMEDIO, FRYER, RITTER, MEBUS AND WEIDNER,
OCTOBER 31, 1977

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
FEBRUARY 15, 1978

AN ACT

1 Amending the act of June 24, 1931 (P.L.1206, No.331), entitled
2 "An act concerning townships of the first class; amending,
3 revising, consolidating, and changing the law relating
4 thereto," further providing for the accepting of bids and the
5 awarding of contracts."

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

8 Section 1. Subsection (b) of section 1802, act of June 24,
9 1931 (P.L.1206, No.331), known as "The First Class Township
10 Code," reenacted and amended May 27, 1949 (P.L.1955, No.569),
11 and amended April 28, 1961 (P.L.144, No.69), is amended to read:

12 Section 1802. General Regulations Concerning Contracts.--

13 * * *

14 (b) In every instance in which any contract for any public
15 work, construction, materials, supplies, or other matters or
16 things for any township shall be awarded upon competitive bids,
17 it shall be the duty of the authorities authorizing the same to
18 award said contract to the lowest responsible bidder. Any
19 published notice for bids shall contain full plans and

1 specifications, or refer to the places where copies thereof can
2 be obtained, and give the time and place of a public meeting of
3 a committee, appointed by the township commissioners or an open
4 meeting of the township commissioners, at which committee or
5 commissioners meeting, bids shall be publicly opened and read,
6 [but the contract not] and if it is an open meeting of the
7 township commissioners, the contract may be awarded. If, through
8 lack of a quorum or other reason, no meeting shall be held at
9 such time and place, notice of the same kind shall be repeated
10 once at least six days before the meeting of the subsequent time
11 and place fixed, and the foregoing provisions as to bids shall
12 apply. The same course shall be pursued until a meeting of a
13 committee or the commissioners shall actually be held for
14 receiving and opening bids. [At a {subsequent} meeting of the <—
15 township commissioners{, after the opening of the bids,} <—
16 ~~announced at the time and place bids were to be received or on~~ <—
17 ~~notice of the meeting published at least six days before the~~
18 ~~meeting in the manner provided herein for rescheduling meetings~~
19 ~~for receiving bids are adjourned for lack of a quorum,~~ the
20 contract shall be awarded.] Any contract made in violation of <—
21 the provisions hereof shall be void. But nothing herein
22 contained shall prevent the making of contracts for governmental
23 services for a period exceeding one year, but any contract so
24 made shall be executory only for the amounts agreed to be paid
25 for such services to be rendered in succeeding fiscal years:
26 Provided, That if, prior to the letting of any contract,
27 taxpayers of the township, whose property valuation as assessed
28 for taxable purposes within the township shall amount to sixty
29 per centum or over of the total property valuation as assessed
30 for taxable purposes within the township, shall sign and file,

1 with the township secretary of the board, a written protest
2 against such contemplated contract, then such contract shall not
3 be let.

4 * * *

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