

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 140

Session of
1979

INTRODUCED BY MESSRS. BURNS, GALLAGHER, DAVIES, R. R. FISCHER,
WILT, WEIDNER, MRS. GEORGE AND MR. J. L. WRIGHT, FEBRUARY 6,
1979

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
MARCH 27, 1979

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," further providing for work to be done
6 under contract let on bids and making an editorial change.

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

9 Section 1. Section 751, act of March 10, 1949 (P.L.30,
10 No.14), known as the "Public School Code of 1949," amended
11 October 4, 1978 (No.236), is amended to read:

12 Section 751. Work to be Done Under Contract Let on Bids;

13 Exception.--(a) All construction, reconstruction, repairs,

14 ~~maintenance or security services,~~ or work of any nature, <—

15 including the introduction of plumbing, heating and ventilating,

16 or lighting systems, upon any school building or upon any school

17 property, OR UPON ANY BUILDING OR PORTION OF A BUILDING LEASED <—

18 UNDER THE PROVISIONS OF SECTION 703.1, made by any school

19 district, where the entire cost, value, or amount of such

1 construction, reconstruction, repairs, or work, maintenance or <—
2 security services, including labor and material, shall exceed
3 two thousand five hundred dollars (\$2500), or the award of any
4 contract including personal service contracts to any person or
5 entity, other than an employee, in connection with the
6 maintenance and security of school buildings or other school <—
7 property, OR ANY BUILDING OR PORTION OF A BUILDING LEASED UNDER <—
8 THE PROVISIONS OF SECTION 703.1, shall be done under separate
9 contracts to be entered into by such school district with the
10 lowest responsible bidder, upon proper terms, after due public
11 notice has been given asking for competitive bids. Whenever a
12 board of school directors shall approve the use of a
13 prefabricated unit, complete in itself, for a school building or
14 other proper structure to be erected upon school property, the
15 board of school directors may have prepared appropriate
16 specifications detailing the size and material desired in a
17 particular prefabricated unit, including all utilities such as
18 plumbing, heating and ventilating, and electrical work, and may
19 advertise for a single bid on all the work and award the
20 contract therefor to the lowest responsible bidder: Provided,
21 That if due to an emergency a school plant or any part thereof
22 becomes unusable competitive bids for repairs or replacement may
23 be solicited from at least three responsible bidders, and upon
24 the approval of any of these bids by the Secretary of Education,
25 the board of school directors may proceed at once to make the
26 necessary repairs or replacements in accordance with the terms
27 of said approved bid or bids.

28 (b) ~~{The} Except as provided in subsection (d), the~~ board of <—
29 school directors in any school district either may perform any
30 construction, reconstruction, repairs, or work of any nature,

1 where the entire cost or value, including labor and material, is
2 less than five thousand dollars (\$5000), by its own maintenance
3 personnel, or may have any such construction, reconstruction,
4 repairs, or work performed by contract after soliciting bids
5 from at least three responsible bidders: Provided, That the
6 board of school directors in any school district may authorize
7 the secretary of the board or other executive to award contracts
8 for construction, reconstruction, repairs, or work of any
9 nature, where the entire cost or value, including labor and
10 material, is two thousand five hundred dollars (\$2500) or less,
11 without soliciting competitive bids.

12 (c) Every contract for the construction, reconstruction,
13 alteration, repair, improvement or maintenance of public works
14 shall comply with the provisions of the act of March 3, 1978
15 (P.L.6, No.3), known as the "Steel Products Procurement Act."

16 (d) The board of school directors of any school district
17 may, IN ADDITION TO THE POWER GRANTED IN SUBSECTION (B), utilize <—
18 also its own maintenance or other personnel to perform
19 maintenance or security work irrespective of the entire cost or <—
20 value of such work.

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