

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1642 Session of
1981

INTRODUCED BY COSLETT, MACKOWSKI, PHILLIPS, TELEK, LEHR,
STEVENS, LEVI, A. C. FOSTER, JR., PETERSON, WASS, MADIGAN,
BOWSER, McINTYRE, CALTAGIRONE, SNYDER AND E. H. SMITH,
JUNE 16, 1981

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JUNE 16, 1981

AN ACT

1 Amending the act of April 18, 1949 (P.L.604, No.128), entitled
2 "An act to promote the welfare of the people of the
3 Commonwealth; creating a State Highway and Bridge Authority
4 as a body corporate and politic with power to construct,
5 reconstruct, improve, maintain, equip, furnish, and operate
6 highway and bridge projects, and roadside rests, and to lease
7 the same, and to fix and collect fees, rentals, and charges
8 for the use thereof; authorizing and regulating the issuance
9 of bonds by said Authority, and providing for the payment of
10 such bonds, and the rights of the holders thereof; and to
11 enter into agreements with the Government of the United
12 States or any Federal agency; and authorizing the Department
13 of Highways to grant, assign, convey, or lease to the
14 Authority lands, easements, or rights of way of the
15 Commonwealth and interests therein, and to acquire lands
16 therefor; authorizing said Authority and the Department of
17 Highways to enter into agreements providing for mutual
18 cooperation in furtherance of the construction of any project
19 hereby authorized; granting the right of eminent domain;
20 empowering said Authority to sell and convey projects and
21 property to the Commonwealth; and providing that no debt of
22 the Commonwealth or any of its political subdivisions shall
23 be incurred in the exercise of any of the powers granted by
24 this act; and making an appropriation," further providing for
25 award of contracts.

26 The General Assembly of the Commonwealth of Pennsylvania
27 hereby enacts as follows:

28 Section 1. Section 13, act of April 18, 1949 (P.L.604,

1 No.128), known as the "State Highway and Bridge Authority Act,"
2 amended October 4, 1978 (P.L.1037, No.234), is amended to read:
3 Section 13. Competition in Award of Contracts.--If any
4 project or any portion thereof or any improvement thereof shall
5 be constructed, equipped or furnished pursuant to a contract and
6 the estimated cost thereof exceeds [two thousand five hundred
7 dollars (\$2,500)] four thousand dollars (\$4,000), such contract
8 shall be awarded to the lowest responsible bidder, after
9 advertisement for bids. The Authority may make rules and
10 regulations for the submission of bids and the construction,
11 equipping, furnishing or improvement of any project or portion
12 thereof. Such rules and regulations may provide for the
13 submission of bids to the Department of Highways as agent for
14 the Authority, as provided in section five of this act. No
15 contract shall be entered into for construction, equipping,
16 furnishing or improvement of any project or portion thereof, or
17 for the purchase of materials, unless the contractor shall give
18 an undertaking with a sufficient surety or sureties approved by
19 the Authority, and in an amount fixed by the Authority, for the
20 faithful performance of the contract; and such contracts shall
21 also be accompanied by an additional bond for the protection of
22 those who furnish labor and material, in such amount and subject
23 to the same terms and conditions as required by the State
24 Highway Law on contracts for the construction of State highways.
25 Nothing in this section shall be construed to limit the power of
26 the Authority to construct any project or portion thereof, or
27 any addition, betterment or extension thereto, directly by the
28 officers, agents and employes of the Authority, or by agreement
29 with the Federal or State government, or any agency or
30 department, or either thereof.

1 Subject to the aforesaid, the Authority may (but without
2 intending by this provision to limit any powers of such
3 authority) enter into and carry out such contracts, or establish
4 or comply with such rules and regulations concerning labor and
5 materials and other related matters in connection with any
6 project or portion thereof, as the Authority may deem desirable
7 or as may be requested by any Federal agency that may assist in
8 the financing of such project or any part thereof.

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

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