

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 741 Session of  
1989

INTRODUCED BY STOUT, CORMAN, STEWART, BRIGHTBILL, PUNT, LEMMOND,  
PORTERFIELD, MADIGAN, AFFLERBACH, REIBMAN AND PETERSON,  
MARCH 21, 1989

REFERRED TO LOCAL GOVERNMENT, MARCH 21, 1989

AN ACT

1 Amending the act of July 29, 1953 (P.L.1034, No.270), entitled,  
2 as amended, "An act creating as bodies corporate and politic  
3 'Public Auditorium Authorities' in counties of the second  
4 class and in cities of the second class and in cities of the  
5 second class A to borrow money and issue bonds therefor;  
6 providing for the payment of such bonds and prescribing the  
7 rights of the holders thereof; conferring the right of  
8 eminent domain on such Authorities; empowering such  
9 Authorities to enter into contracts, leases and licenses with  
10 and to accept grants from private sources, the Federal  
11 Government, State, political subdivisions of the State or any  
12 agency thereof; authorizing the making of said grants from  
13 bond funds or current revenues; authorizing Authorities to  
14 collect rentals, admissions, license fees for the use of the  
15 project; exempting the property and securities of such Public  
16 Auditorium Authorities from taxation," increasing the amount  
17 of contracts that may be awarded without competitive bids;  
18 and further providing for the purchase of supplies and  
19 materials.

20 The General Assembly of the Commonwealth of Pennsylvania  
21 hereby enacts as follows:

22 Section 1. Subsections A and B of section 11 of the act of  
23 July 29, 1953 (P.L.1034, No.270), known as the Public Auditorium  
24 Authorities Law, amended December 22, 1981 (P.L.549, No.161),  
25 are amended to read:

26 Section 11. Competition in Award of Contracts.

1       A. All construction, reconstruction, repairs or work of any  
2 nature made by any Authority, where the entire cost, value or  
3 amount of such construction, reconstruction, repairs or work,  
4 including labor and materials, shall exceed [four thousand  
5 dollars (\$4,000.00)] ten thousand dollars (\$10,000), except  
6 construction, reconstruction, repairs or work done by employes  
7 of said Authority or by labor supplied under agreement with any  
8 Federal or State agency with supplies and materials purchased,  
9 as hereinafter provided, shall be done only under contract or  
10 contracts to be entered into by the Authority with the lowest  
11 responsible bidder upon proper terms, after due public notice  
12 has been given asking for competitive bids hereinafter provided.  
13 No contract shall be entered into for construction or  
14 improvement or repair of any project or portion thereof unless  
15 the contractor shall give an undertaking, with a sufficient  
16 surety or sureties approved by the Authority and in an amount  
17 fixed by the Authority, for the faithful performance of the  
18 contract. All such contracts shall provide, among other things,  
19 that the person or corporation entering into such contract with  
20 the Authority will pay for all materials furnished and services  
21 rendered for the performance of the contract and that any person  
22 or corporation furnishing such materials or rendering such  
23 services may maintain an action to recover for the same against  
24 the obligor in the undertaking as though such person or  
25 corporation was named therein, provided the action is brought  
26 within one year after the time the cause of action accrued.  
27 Nothing in this section shall be construed to limit the power of  
28 the Authority to construct, repair or improve any project or  
29 portion thereof or any addition, betterment or extension thereto  
30 directly by the officers, agents and employes of the Authority

1 or otherwise than by contract.

2 B. All supplies and materials costing [four thousand dollars  
3 (\$4,000.00)] ten thousand dollars (\$10,000) or more shall be

4 purchased only after due advertisement as hereinafter provided.

5 The Authority shall accept the lowest bid or bids, kinds,

6 quality and material being equal, but the Authority shall have

7 the right to reject any or all bids or select a single item from

8 any bid. The provisions as to bidding shall not apply to the

9 purchase of patented and manufactured products offered for sale

10 in a non-competitive market or solely by a manufacturer's

11 authorized dealer.

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