



1 LEVEL FOR THE COUNTY SHALL BE SUBJECT TO SECTION 1802(A.1) AND  
2 shall be by note or memorandum, in writing, signed by the county  
3 commissioners, or their agent. A copy of all such notes and  
4 memorandums and all written contracts shall be filed in the  
5 office of the controller, if any, and, if ~~not, then with the~~ <—  
6 ~~chief clerk of the commissioners. The commissioners shall, where~~  
7 ~~possible, anticipate the needs of the~~ NOT, THEN WITH THE CHIEF <—  
8 CLERK OF THE COMMISSIONERS.

9 (B) WRITTEN OR TELEPHONIC PRICE QUOTATIONS FROM AT LEAST  
10 THREE QUALIFIED AND RESPONSIBLE CONTRACTORS SHALL BE REQUESTED  
11 FOR ALL CONTRACTS THAT EXCEED FOUR THOUSAND DOLLARS (\$4,000) BUT  
12 ARE LESS THAN THE AMOUNT REQUIRING ADVERTISEMENT AND COMPETITIVE  
13 BIDDING OR, IN LIEU OF PRICE QUOTATIONS, A MEMORANDUM SHALL BE  
14 KEPT ON FILE SHOWING THAT FEWER THAN THREE QUALIFIED CONTRACTORS  
15 EXIST IN THE MARKET AREA WITHIN WHICH IT IS PRACTICABLE TO  
16 OBTAIN QUOTATIONS. A WRITTEN RECORD OF TELEPHONIC PRICE  
17 QUOTATIONS SHALL BE MADE AND SHALL CONTAIN AT LEAST THE DATE OF  
18 THE QUOTATION, THE NAME OF THE CONTRACTOR AND THE CONTRACTOR'S  
19 REPRESENTATIVE, THE CONSTRUCTION, RECONSTRUCTION, REPAIR,  
20 MAINTENANCE OR WORK WHICH WAS THE SUBJECT OF THE QUOTATION AND  
21 THE PRICE. WRITTEN PRICE QUOTATIONS, WRITTEN RECORDS OF  
22 TELEPHONIC PRICE QUOTATIONS AND MEMORANDA SHALL BE RETAINED FOR  
23 A PERIOD OF THREE YEARS.

24 (C) THE COMMISSIONERS SHALL, WHERE POSSIBLE, ANTICIPATE THE  
25 NEEDS OF THE various officers and agencies of the county and  
26 endeavor to purchase in wholesale quantities, where practicable  
27 and where savings could be achieved thereby. The commissioners  
28 may make contracts and purchases for all purposes expressly or  
29 impliedly authorized by law.

30 Section 1802. Contract Procedures; Terms and Bonds;

1 Advertising for Bids.--(a) All contracts for services and  
2 personal property where the amount thereof exceeds the sum of  
3 [four thousand dollars (\$4,000)] ~~ten thousand dollars (\$10,000)~~ <—  
4 THE MONETARY THRESHOLD LEVEL FOR THE COUNTY, shall be written <—  
5 and shall, except as otherwise hereinafter specified, be made by  
6 advertising for bids.

7 (A.1) THE MONETARY THRESHOLD LEVEL ABOVE WHICH COMPETITIVE <—  
8 BIDDING SHALL BE REQUIRED SHALL BE ONE PER CENTUM (1%) OF THE  
9 TOTAL OF ALL BUDGETS ADMINISTERED BY THE COUNTY, BUT IN NO CASE  
10 SHALL THE MONETARY THRESHOLD BE LESS THAN FOUR THOUSAND DOLLARS  
11 (\$4,000), NOR MORE THAN TEN THOUSAND DOLLARS (\$10,000).

12 (b) Contracts or purchases in excess of [four thousand  
13 dollars (\$4,000)] ~~ten thousand dollars (\$10,000)~~ THE MONETARY <—  
14 THRESHOLD LEVEL FOR THE COUNTY, except those hereinafter  
15 mentioned, shall not be made except with and from the lowest  
16 responsible bidder, after due notice in one newspaper of general  
17 circulation, published or circulating in the county, at least  
18 three times at intervals of not less than three days where daily  
19 newspapers of general circulation are employed for such  
20 publication, or in case weekly newspapers are employed then the  
21 notice shall be published once a week for two successive weeks.  
22 The first advertisement shall be published not less than ten  
23 days prior to the date fixed for the opening of bids. The  
24 requirements of this subsection need not be followed in cases of  
25 emergency, but in such cases the actual emergency shall be  
26 declared and stated by resolution of the commissioners.

27 \* \* \*

28 (h) The contracts or purchases made by the commissioners  
29 involving an expenditure of over [four thousand dollars  
30 (\$4,000)] ~~ten thousand dollars (\$10,000)~~ THE MONETARY THRESHOLD <—

1 LEVEL FOR THE COUNTY which shall not require advertising or  
2 bidding, as hereinbefore provided, are as follows:

3 (1) Those for maintenance, repairs or replacements for  
4 water, electric light, or other public works of the county where  
5 they do not constitute new additions, extensions or enlargements  
6 of existing facilities and equipment. A bond may be required by  
7 the commissioners as in other cases for work done.

8 (2) Those made for improvements, repairs and maintenance of  
9 any kind, made or provided by the county through its own  
10 employes. This shall not apply to construction materials used in  
11 a street improvement.

12 (3) Those where particular types, models or pieces of new  
13 equipment, articles, apparatus, appliances, vehicles or parts  
14 thereof, are desired by the commissioners, which are patented  
15 and manufactured or copyrighted products.

16 (4) Those involving any policies of insurance or surety  
17 company bonds, those made for public utility service under  
18 tariffs on file with the Pennsylvania Public Utility Commission,  
19 those made with another political subdivision, the Commonwealth  
20 of Pennsylvania, the Federal Government, any agency of the  
21 Commonwealth or the Federal Government or any municipal  
22 authority, including the sale, leasing or loan of any supplies  
23 or materials by the Commonwealth or the Federal Government or  
24 their agencies, but the price thereof shall not be in excess of  
25 that fixed by the Commonwealth, or the Federal Government, or  
26 their respective agencies.

27 (5) Those involving services of members of the medical or  
28 legal profession, registered architects, engineers, certified  
29 public accountants or other personal services involving  
30 professional expert advice.

1       (6) Those involving contracts entered into by nonprofit  
2 cooperative hospital service associations for hospitals and  
3 nursing homes which are part of the institutional district or  
4 which are owned by the county; operated by the county; or  
5 affiliated with the county by the purchasing of, or  
6 participating in contracts for, materials, supplies and  
7 equipment.

8       \* \* \*

9       Section 1803. Evasion of Advertising Requirements.--No  
10 commissioner or commissioners shall evade the provisions of  
11 section one thousand eight hundred two of this act, as to  
12 advertising for bids or purchasing or contracting for services  
13 and personal properties piece-meal, for the purpose of obtaining  
14 prices under [four thousand dollars (\$4,000)] ~~ten thousand~~ <—  
15 ~~dollars (\$10,000)~~ THE MONETARY THRESHOLD LEVEL FOR THE COUNTY <—  
16 upon transactions which should in the exercise of reasonable  
17 discretion and prudence be conducted as one transaction  
18 amounting to more than [four thousand dollars (\$4,000)] ~~ten~~ <—  
19 ~~thousand dollars (\$10,000)~~ THE MONETARY THRESHOLD LEVEL FOR THE <—  
20 COUNTY. This provision is intended to make unlawful the practice  
21 of evading advertising requirements by making a series of  
22 purchases or contracts each for less than the advertising  
23 requirement price, or by making several simultaneous purchases  
24 or contracts each below said price, when in either case the  
25 transaction involved should have been made as one transaction  
26 for one price. Any county commissioners who so vote in violation  
27 of this provision and who know that the transaction upon which  
28 they so vote is or ought to be a part of a larger transaction  
29 and that it is being divided in order to evade the requirements  
30 as to advertising for bids shall be, jointly and severally,

1 subject to surcharge for any loss sustained. Wherever it shall  
2 appear that a commissioner may have voted in violation of this  
3 section, but the purchase or contract on which he so voted was  
4 not approved by the board of county commissioners, this section  
5 shall be inapplicable.

6 Section 2. Sections 2317 and 2670 of the act, amended  
7 December 22, 1981 (P.L.580, No.167), are amended to read:

8 Section 2317. Separate Bids for Plumbing, Heating,  
9 Ventilating, Electrical Work, Elevators and Moving Stairs.--In  
10 the preparation of specifications for the erection, construction  
11 and alteration of any public building, when the entire cost of  
12 such work shall exceed [four thousand dollars (\$4000)] ~~ten~~ ←  
13 ~~thousand dollars (\$10,000)~~ THE MONETARY THRESHOLD LEVEL FOR THE ←  
14 COUNTY the architect, engineer or other person preparing such  
15 specifications shall prepare only the following separate  
16 specifications: (1) plumbing, (2) heating, (3) ventilating, (4)  
17 electrical work, (5) elevators and moving stairs, and (6) one  
18 complete set of specifications for all the other work to be done  
19 in such erection, construction and alteration. The board of  
20 commissioners shall receive separate bids upon each of the said  
21 branches of work and award the contract for the same to the  
22 lowest responsible bidder for each of said branches, including  
23 the balance of the work in addition to the plumbing, heating,  
24 ventilating and electrical work, and elevators and moving  
25 stairs. Where it is desired to install an air conditioning unit,  
26 the heating and ventilating so involved may be regarded as one  
27 branch of work having only one set of specifications, and bids  
28 may be received and a contract awarded thereon, as hereinbefore  
29 provided.

30 Section 2670. Building or Repair of Bridges.--In addition to

1 the provisions of Articles XVIII and XXIII of this act relating  
2 to contracting for services and personal property, whenever the  
3 county commissioners propose to build or repair a bridge at a  
4 cost in excess of [four thousand dollars (\$4000)] ~~ten thousand~~ ←  
5 ~~dollars (\$10,000)~~ THE MONETARY THRESHOLD LEVEL FOR THE COUNTY ←  
6 their advertisements for bids shall contain the description of  
7 the repairs, or designs of the kind of bridge, required. When  
8 the contract is for the building of a bridge, the designs and  
9 specifications therefor, or a copy thereof, shall be kept in the  
10 office of the county commissioners, open to the inspection of  
11 all intending bidders during such advertising and the time  
12 specified therein for the reception of bids. In the case of a  
13 bridge to be erected over a stream upon the line between two  
14 adjoining counties, the advertising shall be done in each of  
15 said counties, and a copy of the plans and specifications shall  
16 be kept in the commissioners' office of each county. The time of  
17 filing bids and the person's name with whom filed must be marked  
18 on the outside of said bids.

19 Section 3. This act shall take effect in 60 days.