

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 757 Session of 1991

INTRODUCED BY STETLER, ANGSTADT, BILLOW, BUNT, CAPPABIANCA, COLAIZZO, COY, DEMPSEY, KOSINSKI, LINTON, McNALLY, MERRY, PESCI, PISTELLA, SERAFINI, STURLA, TRELLO, VAN HORNE AND WAMBACH, MARCH 13, 1991

AS REPORTED FROM COMMITTEE ON URBAN AFFAIRS, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 17, 1991

AN ACT

1 Amending the act of June 23, 1931 (P.L.932, No.317), entitled
2 "An act relating to cities of the third class; and amending,
3 revising, and consolidating the law relating thereto,"
4 granting ~~the mayor~~ CITY COUNCIL the authority to determine
5 whether or not security should accompany bids submitted in
6 response to advertisement.

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

9 Section 1. Section 1901(f) of the act of June 23, 1931
10 (P.L.932, No.317), known as The Third Class City Code, reenacted
11 and amended June 28, 1951 (P.L.662, No.164) and amended
12 September 17, 1959 (P.L.906, No.359), is amended to read:

13 Section 1901. Power to Make Contracts; Regulations
14 Concerning Contracts.--* * *

15 (f) [All bids advertised for shall be accompanied by cash,
16 by a certified or cashier's good faith check in an amount
17 required by council but at least ten per centum of the bid, or
18 by a bond with corporate surety in such amount as council shall

1 determine but not less than ten per centum of the amount bid.]
2 Council may require that any bids so advertised be accompanied
3 by cash, by a certified or cashier's good faith check or other
4 irrevocable letter of credit in an acceptable amount, or by a
5 bond with corporate surety in an acceptable amount. Whenever it
6 is required that a bid be accompanied by cash, certified check,
7 cashier's good faith check or other irrevocable letter of
8 credit, no bid shall be considered unless so accompanied. In the
9 event any bidder shall, upon award of the contract to him, fail
10 to comply with the requirements hereinafter stated as to a bond
11 guaranteeing the performance of the contract the good faith
12 deposit by cash, certified check, or bond, shall be forfeited to
13 the city as liquidated damages.

14 * * *

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