

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2314 Session of
1996

INTRODUCED BY BARLEY, COLAFELLA, BAKER, GEORGE, HERSHEY, GANNON,
GEIST, ZIMMERMAN, SAYLOR, STRITTMATTER, STERN, NICKOL,
RUBLEY, M. N. WRIGHT, STABACK, CORNELL, SCHULER, PETTIT,
S. H. SMITH, CLYMER, TRELLO, ARMSTRONG, STISH, DEMPSEY,
FARGO, LYNCH, WAUGH, RAYMOND, CLARK, BATTISTO, BARD, MERRY
AND SERAFINI, JANUARY 31, 1996

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, JANUARY 31, 1996

AN ACT

1 Amending the act of May 1, 1933 (P.L.103, No.69), entitled, as
2 reenacted and amended, "An act concerning townships of the
3 second class; and amending, revising, consolidating and
4 changing the law relating thereto," further providing for
5 letting contracts.

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

8 Section 1. Section 3102(a) and (g) of the act of May 1, 1933
9 (P.L.103, No.69), known as The Second Class Township Code,
10 reenacted and amended November 9, 1995 (P.L.350, No.60), are
11 amended to read:

12 Section 3102. Letting Contracts.--(a) All contracts or
13 purchases in excess of the required advertising amount of ten
14 thousand dollars (\$10,000), except those specifically excluded,
15 shall not be made except with and from the lowest responsible
16 bidder after due notice in one newspaper of general circulation
17 in the township. The notice for bids shall be published at least

1 two times at intervals of not less than three days in daily
2 newspapers or once a week for two successive weeks in weekly
3 newspapers. The first advertisement shall be published not more
4 than forty-five days, and the second advertisement not less than
5 ten days, before the date set for the opening of bids. Notice of
6 proposed contracts or purchases shall also be posted where the
7 board of supervisors normally meets or in a conspicuous place
8 within the township. Any published notice for bids shall contain
9 full plans and specifications, or refer to the places where
10 copies thereof can be obtained, state the amount of the
11 performance bond determined under subsection (g) and give the
12 date, time and place of a meeting at which an individual or
13 committee appointed by the board of supervisors or the board of
14 supervisors will open and read the bids.

15 * * *

16 (g) Unless covered under the bonding requirements of the act
17 of December 20, 1967 (P.L.869, No.385), known as the "Public
18 Works Contractors' Bond Law of 1967," the successful bidder
19 shall furnish a bond guaranteeing performance of the contract,
20 in [the amount of fifty percent] an amount as determined by the
21 supervisors at the time of advertising for bids which shall be
22 not less than ten percent nor more than one hundred percent of
23 the amount of the contract, within twenty days after the
24 contract is awarded. If the bidder fails to furnish the bond
25 within twenty days, unless delivery is made or the entire
26 contract is fulfilled during that time, the contract is void.
27 Delivery, accomplishment and guarantees may be required in all
28 cases, including the exceptions contained in this section.

29 * * *

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