

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1171 Session of
2004

INTRODUCED BY MOWERY, LEMMOND, PILEGGI, RAFFERTY, RHOADES AND
WAUGH, JUNE 22, 2004

REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY, JUNE 22, 2004

AN ACT

1 Amending the act of March 1, 1988 (P.L.82, No.16), entitled "An
2 act providing for the establishment, implementation and
3 administration of the Pennsylvania Infrastructure Investment
4 Authority; imposing powers and duties on a board of trustees;
5 transferring the rights, powers, duties and obligations of
6 the Water Facilities Loan Board to the Pennsylvania
7 Infrastructure Investment Authority; providing for the
8 issuance of notes and bonds; providing for financial
9 assistance and for a comprehensive water facilities plan;
10 authorizing a referendum to incur indebtedness; making an
11 appropriation; and making repeals," further providing for the
12 contracting process.

13 The General Assembly of the Commonwealth of Pennsylvania
14 hereby enacts as follows:

15 Section 1. Section 10 of the act of March 1, 1988 (P.L.82,
16 No.16), known as the Pennsylvania Infrastructure Investment
17 Authority Act, is amended by adding a subsection to read:

18 Section 10. Financial assistance.

19 * * *

20 (o) Contracts.--No specification for bids in connection with
21 any project financed by the authority shall be written in such a
22 manner as to contain proprietary, exclusionary or discriminatory
23 requirements other than those based upon performance unless such

1 requirements are necessary to test or demonstrate a specific
2 thing or to provide for necessary interchangeability of parts
3 and equipment. At least two brand names or trade names of
4 comparable quality or utility shall be listed, followed by the
5 words "or equal." Any disputes arising from this subsection
6 shall be resolved first by the grantee or loan recipient and, if
7 necessary, by the Department of Environmental Protection, not
8 the authority.

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