

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 290 Session of  
2011

INTRODUCED BY M. K. KELLER, AUMENT, BAKER, BEAR, BENNINGHOFF, BLOOM, BOBACK, BOYD, BROOKS, CAUSER, CHRISTIANA, CLYMER, COX, CREIGHTON, CUTLER, DELOZIER, DENLINGER, ELLIS, EVERETT, FARRY, FLECK, GABLER, GEIST, GILLESPIE, GINGRICH, GRELL, GROVE, HALUSKA, HARHART, HARPER, HARRIS, HELM, HENNESSEY, HESS, HICKERNELL, KAUFFMAN, KILLION, KNOWLES, MAJOR, MARSHALL, MARSICO, MASSER, METCALFE, MILLARD, MILLER, MOUL, OBERLANDER, O'NEILL, PAYNE, PEIFER, PERRY, PICKETT, PYLE, QUIGLEY, QUINN, RAPP, REED, REICHLEY, ROAE, ROCK, ROSS, SAYLOR, SCAVELLO, CULVER, SCHRODER, SIMMONS, SONNEY, STERN, STEVENSON, SWANGER, TALLMAN, TOBASH, TRUITT, TURZAI, VEREB, VULAKOVICH, WATSON AND F. KELLER, JANUARY 27, 2011

SENATOR CORMAN, APPROPRIATIONS, IN SENATE, RE-REPORTED AS  
AMENDED, OCTOBER 17, 2011

## AN ACT

1 Amending the act of July 28, 1953 (P.L.723, No.230), entitled,  
2 as amended, "An act relating to counties of the second class  
3 and second class A; amending, revising, consolidating and  
4 changing the laws relating thereto," in preliminary  
5 provisions, providing for adjustments based on Consumer Price  
6 Index relating to contracts and purchases; IN SHERIFF AND ←  
7 CORONER, FURTHER PROVIDING FOR CHIEF DEPUTY, FOR DEPUTIES AND  
8 CLERKS, FOR PUBLIC LIST OF APPLICANTS FOR DEPUTY SHERIFF AND  
9 FOR SHERIFF'S EMPLOYEES AND COUNTIES OF THE SECOND CLASS; in  
10 contracts, further regulating contracts and purchases; and, ←  
11 in grounds, property and buildings, further providing for ←  
12 SEPARATE SPECIFICATIONS AND CONTRACTS FOR CERTAIN ITEMS; AND, ←  
13 IN SPORTS AND EXHIBITION AUTHORITY, FURTHER PROVIDING FOR  
14 competition in award of contracts.

15 The General Assembly of the Commonwealth of Pennsylvania  
16 hereby enacts as follows:

17 ~~Section 1. The act of July 28, 1953 (P.L.723, No.230), known~~ ←  
18 ~~as the Second Class County Code, is amended by adding a section~~

to read:

~~Section 112. Adjustments Based on Change in Consumer Price Index. (a) Adjustments to the base amounts specified under sections 2001(a) and (d), 2517(a) and 2511 A(a), (b), (b.1) and (h) shall be made as follows:~~

~~(1) The Department of Labor and Industry shall determine the percentage change in the All Items Consumer Price Index for All Urban Consumers (CPI-U) for the United States City Average as published by the United States Department of Labor, Bureau of Labor Statistics for the twelve month period ending September 30 of the calendar year in which this subsection becomes effective, and for each successive twelve month period thereafter.~~

~~(2) If the department determines that there is no positive percentage change, then no adjustment to the base amounts shall occur for the relevant time period provided for in this subsection.~~

~~(3) (i) If the department determines that there is a positive percentage change in the first year that the determination is made under paragraph (1), the positive percentage change shall be multiplied by each base amount and the products shall be added to the base amounts, respectively, and the sums shall be preliminary adjusted amounts.~~

~~(ii) The preliminary adjusted amounts shall be rounded to the nearest one thousand dollars (\$1,000), to determine the final adjusted base amounts for purposes of sections 2001(a) and (d), 2517(a) and 2511 A(a), (b), (b.1) and (h).~~

~~(4) In each successive year in which there is a positive percentage change in the CPI-U for the United States City Average, the positive percentage change shall be multiplied by the most recent preliminary adjusted amounts and the products~~

~~shall be added to the most recent preliminary adjusted amounts, respectively. The sums thereof shall be rounded to the nearest one thousand dollars (\$1,000) to determine the new final adjusted base amounts for purposes of sections 2001(a) and (d), 2517(a) and 2511 A(a), (b), (b.1) and (h).~~

~~(5) The determinations and adjustments required under this subsection shall be made in the period between October 1 and November 15 of the year following the effective date of this subsection, and annually between October 1 and November 15 of each year thereafter.~~

~~(6) The final adjusted base amounts and new final adjusted base amounts obtained under paragraphs (3) and (4) shall become effective January 1 for the calendar year following the year in which the determination required under paragraph (1) is made.~~

~~(7) The department shall publish notice in the Pennsylvania Bulletin prior to January 1 of each calendar year of the annual percentage change determined under paragraph (1) and the unadjusted or final adjusted base amounts determined under paragraphs (3) and (4) for purposes of sections 2001(a) and (d), 2517(a) and 2511 A(a), (b), (b.1) and (h), respectively, for the calendar year beginning the first day of January after publication of the notice. The notice shall include a written and illustrative explanation of the calculations performed by the department in establishing the unadjusted or final adjusted base amounts under this subsection for the ensuing calendar year.~~

~~(b) (Reserved).~~

~~Section 2. Section 2001(a) and (d) of the act, amended November 30, 2004 (P.L.1439, No.186), are amended to read:~~

~~Section 2001. County Commissioners to Make Contracts. The~~

~~County Commissioners may make contracts for lawful purposes and for the purposes of carrying into execution the provisions of this section and the laws of the Commonwealth.~~

~~(a) Except as provided in subsection (a.1), all contracts or purchases in excess of [ten thousand dollars (\$10,000)] the base amount of twenty five thousand dollars (\$25,000), subject to annual adjustment under section 112, shall be in writing and, except those hereinafter mentioned and except as provided by the act of October 27, 1979 (P.L.241, No.78), entitled "An act authorizing political subdivisions, municipality authorities and transportation authorities to enter into contracts for the purchase of goods and the sale of real and personal property where no bids are received," shall not be made except with and from the lowest responsible and responsive bidder meeting specifications, after due notice in at least one newspaper of general circulation, published or circulating in the county at least two (2) times, at intervals of not less than three (3) days where daily newspapers of general circulation are employed for such publication, or in case weekly newspapers are employed, then the notice shall be published once a week for two (2) successive weeks. The first advertisement shall be published not less than ten (10) days prior to the date fixed for the opening of bids.~~

~~\* \* \*~~

~~(d) The contracts or purchases made by the commissioners involving an expenditure [of over ten thousand dollars (\$10,000)] in the excess of the base amount of twenty five thousand dollars (\$25,000), subject to annual adjustment under section 112, which shall not require advertising or bidding as hereinbefore provided are as follows:~~

~~(1) Those for maintenance, repairs or replacements for water, electric light, or other public works: Provided, That they do not constitute new additions, extensions or enlargements of existing facilities and equipment. Security may be required by the county commissioners as in other cases of work done.~~

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

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

~~(4) Those involving any policies of insurance or surety company bonds, those made for public utility service and electricity, natural gas or telecommunication services: Provided, That, in the case of utilities not under tariffs on file with the Pennsylvania Public Utility Commission, contracts made without advertising and bidding shall be made only after receiving written or telephonic price quotations from at least three (3) qualified and responsible contractors, or in lieu of price quotations a memorandum shall be kept on file showing that fewer than three (3) qualified contractors exist in the market area within which it is practicable to obtain quotations. A written record of telephonic price quotations shall be made and contain at least the date of the quotation, the name of the contractor and the contractor's representative.~~

~~(5) Those involving personal or professional services, including, but not limited to, services of members of the medical or legal profession, registered architects, engineers,~~

~~certified public accountants or other personal services  
involving professional expertise.~~

~~(6) Those involving tangible client services provided by  
nonprofit agencies. For the purposes of this clause, the term  
"tangible client services" shall mean congregate meals, home-  
delivered meals, transportation and chore services provided  
through area agencies on aging.~~

~~(6.1) Those involving contracts entered into by nonprofit  
cooperative hospital service associations for hospitals and  
nursing homes which are part of the institutional district or  
which are owned by the county, operated by the county or  
affiliated with the county by the purchasing of or participating  
in contracts for materials, supplies and equipment.~~

~~(7) Those involving the purchase of milk.~~

~~(8) Those made with any public body, including, but not  
limited to, the sale, lease or loan of any supplies or materials  
to the county by a public body, provided that the price thereof  
shall not be in excess of that fixed by the public body. The  
requirements of 53 Pa.C.S. Ch. 23 Subch. A (relating to  
intergovernmental cooperation) shall not apply when a county  
purchases cooperatively with another public body which has  
entered into a contract for supplies or materials. As used in  
this paragraph, "public body" shall mean any of the following:~~

~~(i) the Federal Government;~~

~~(ii) the Commonwealth of Pennsylvania;~~

~~(iii) any other state;~~

~~(iv) a political subdivision, local or municipal authority  
or other similar local entity of the Commonwealth or any other  
state; or~~

~~(v) an agency of the Federal Government, the Commonwealth or~~

1 ~~any other state.~~

2 ~~(9) Those exclusively involving construction management~~  
3 ~~services.~~

4 ~~(10) Those involving computer software.~~

5 ~~\* \* \*~~

6 ~~Section 3. Section 2517(a) of the act, amended December 9,~~  
7 ~~2002 (P.L.1383, No.170), is amended to read:~~

8 ~~Section 2517. Separate Specifications and Contracts for~~  
9 ~~Certain Items. (a) In the preparation of specifications for the~~  
10 ~~erection, construction and alteration of any public building,~~  
11 ~~when the entire cost of such work shall exceed [ten thousand~~  
12 ~~dollars (\$10,000)] the base amount of twenty five thousand~~  
13 ~~dollars (\$25,000), subject to annual adjustment under section~~  
14 ~~112, the architect, engineer or other person preparing such~~  
15 ~~specifications shall prepare separate specifications for the~~  
16 ~~plumbing, heating, ventilating and electrical work. The board of~~  
17 ~~commissioners shall receive separate bids upon each of the said~~  
18 ~~branches of work and award the contract for the same to the~~  
19 ~~lowest responsible bidder for each of said branches.~~

20 ~~\* \* \*~~

21 ~~Section 4. Section 2511 A(a), (b), (b.1) and (h) of the act,~~  
22 ~~added October 30, 2000 (P.L.616, No.85), are amended to read:~~

23 ~~Section 2511 A. Competition in Award of Contracts. (a) All~~  
24 ~~construction, reconstruction, repairs or work of any nature made~~  
25 ~~by any Authority, where the entire cost, value or amount of such~~  
26 ~~construction, reconstruction, repairs or work, including labor~~  
27 ~~and materials, shall exceed [ten thousand dollars (\$10,000)] the~~  
28 ~~base amount of twenty five thousand dollars (\$25,000), subject~~  
29 ~~to annual adjustment under section 112, except construction,~~  
30 ~~reconstruction, repairs or work done by employes of said~~

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

26 ~~(b) All supplies and materials costing [ten thousand dollars~~  
27 ~~(\$10,000)] the base amount of twenty five thousand dollars~~  
28 ~~(\$25,000), subject to annual adjustment under section 112, or~~  
29 ~~more shall be purchased only after due advertisement as~~  
30 ~~hereinafter provided. The Authority shall accept the lowest bid~~



~~or bids, kinds, quality and material being equal, but the Authority shall have the right to reject any or all bids or select a single item from any bid. The provisions as to bidding shall not apply to the purchase of patented and manufactured products offered for sale in a non competitive market or solely by a manufacturer's authorized dealer.~~

~~(b.1) Written or telephonic price quotations from at least three (3) qualified and responsible contractors shall be requested for all contracts that exceed [four thousand dollars (\$4,000)] the base amount of ten thousand dollars (\$10,000), subject to annual adjustment under section 112, but are less than the amount requiring advertisement and competitive bidding, or, in lieu of price quotations, a memorandum shall be kept on file showing that fewer than three (3) qualified contractors exist in the market area within which it is practicable to obtain quotations. A written record of telephonic price quotations shall be made and shall contain at least the date of the quotation, the name of the contractor and the contractor's representative, the construction, reconstruction, repair, maintenance or work which was the subject of the quotation and the price. Written price quotations, written records of telephonic price quotations and memoranda shall be retained for a period of three (3) years.~~

~~\* \* \*~~

~~(h) An Authority shall not evade the provisions of this section as to advertising for bids or purchasing materials or contracting for services piecemeal for the purpose of obtaining prices under [ten thousand dollars (\$10,000)] the base amount of twenty five thousand dollars (\$25,000), subject to annual adjustment under section 112, upon transactions which should, in~~

~~the exercise of reasonable discretion and prudence, be conducted as one transaction amounting to more than [ten thousand dollars (\$10,000)] the base amount of twenty five thousand dollars (\$25,000), subject to annual adjustment under section 112. This provision is intended to make unlawful the practice of evading advertising requirements by making a series of purchases or contracts each for less than the advertising requirement price or by making several simultaneous purchases or contracts each below said price when in either case the transaction involved should have been made as one transaction for one price.~~

~~\* \* \*~~

~~Section 5. This act shall apply to contracts and purchases advertised on or after January 1 of the year following the effective date of this section.~~

~~Section 6. This act shall take effect immediately.~~

SECTION 1. THE ACT OF JULY 28, 1953 (P.L.723, NO.230), KNOWN AS THE SECOND CLASS COUNTY CODE, IS AMENDED BY ADDING A SECTION TO READ:

SECTION 112. ADJUSTMENTS BASED ON CONSUMER PRICE INDEX.-- (A) ADJUSTMENTS TO THE BASE AMOUNTS SHALL BE MADE AS FOLLOWS:

(1) THE DEPARTMENT OF LABOR AND INDUSTRY SHALL DETERMINE THE PERCENTAGE CHANGE IN THE ALL ITEMS CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS (CPI-U) FOR THE UNITED STATES CITY AVERAGE AS PUBLISHED BY THE UNITED STATES DEPARTMENT OF LABOR, BUREAU OF LABOR STATISTICS FOR THE TWELVE-MONTH PERIOD ENDING SEPTEMBER 30, 2012, AND FOR EACH SUCCESSIVE TWELVE-MONTH PERIOD THEREAFTER.

(2) IF THE DEPARTMENT DETERMINES THAT THERE IS NO POSITIVE PERCENTAGE CHANGE, THEN NO ADJUSTMENT TO THE BASE AMOUNTS SHALL OCCUR FOR THE RELEVANT TIME PERIOD PROVIDED FOR IN THIS

1 SUBSECTION.

2 (3) (I) IF THE DEPARTMENT DETERMINES THAT THERE IS A  
3 POSITIVE PERCENTAGE CHANGE IN THE FIRST YEAR THAT THE  
4 DETERMINATION IS MADE UNDER PARAGRAPH (1), THE POSITIVE  
5 PERCENTAGE CHANGE SHALL BE MULTIPLIED BY EACH BASE AMOUNT AND  
6 THE PRODUCTS SHALL BE ADDED TO THE BASE AMOUNTS, RESPECTIVELY,  
7 AND THE SUMS SHALL BE PRELIMINARY ADJUSTED AMOUNTS.

8 (II) THE PRELIMINARY ADJUSTED AMOUNTS SHALL BE ROUNDED TO  
9 THE NEAREST ONE HUNDRED DOLLARS (\$100), TO DETERMINE THE FINAL  
10 ADJUSTED BASE AMOUNTS.

11 (4) IN EACH SUCCESSIVE YEAR IN WHICH THERE IS A POSITIVE  
12 PERCENTAGE CHANGE IN THE CPI-U FOR THE UNITED STATES CITY  
13 AVERAGE, THE POSITIVE PERCENTAGE CHANGE SHALL BE MULTIPLIED BY  
14 THE MOST RECENT PRELIMINARY ADJUSTED AMOUNTS AND THE PRODUCTS  
15 SHALL BE ADDED TO THE PRELIMINARY ADJUSTED AMOUNT OF THE PRIOR  
16 YEAR TO CALCULATE THE PRELIMINARY ADJUSTED AMOUNTS FOR THE  
17 CURRENT YEAR. THE SUMS THEREOF SHALL BE ROUNDED TO THE NEAREST  
18 ONE HUNDRED DOLLARS (\$100) TO DETERMINE THE NEW FINAL ADJUSTED  
19 BASE AMOUNTS.

20 (5) THE DETERMINATIONS AND ADJUSTMENTS REQUIRED UNDER THIS  
21 SUBSECTION SHALL BE MADE IN THE PERIOD BETWEEN OCTOBER 1 AND  
22 NOVEMBER 15 OF THE YEAR FOLLOWING THE EFFECTIVE DATE OF THIS  
23 SUBSECTION, AND ANNUALLY BETWEEN OCTOBER 1 AND NOVEMBER 15 OF  
24 EACH YEAR THEREAFTER.

25 (6) THE FINAL ADJUSTED BASE AMOUNTS AND NEW FINAL ADJUSTED  
26 BASE AMOUNTS OBTAINED UNDER PARAGRAPHS (3) AND (4) SHALL BECOME  
27 EFFECTIVE JANUARY 1 FOR THE CALENDAR YEAR FOLLOWING THE YEAR IN  
28 WHICH THE DETERMINATION REQUIRED UNDER PARAGRAPH (1) IS MADE.

29 (7) THE DEPARTMENT SHALL PUBLISH NOTICE IN THE PENNSYLVANIA  
30 BULLETIN PRIOR TO JANUARY 1 OF EACH CALENDAR YEAR OF THE ANNUAL

1 PERCENTAGE CHANGE DETERMINED UNDER PARAGRAPH (1) AND THE  
2 UNADJUSTED OR FINAL ADJUSTED BASE AMOUNTS DETERMINED UNDER  
3 PARAGRAPHS (3) AND (4) AT WHICH COMPETITIVE BIDDING OR WRITTEN  
4 OR TELEPHONIC PRICE QUOTATIONS ARE REQUIRED FOR THE CALENDAR  
5 YEAR BEGINNING THE FIRST DAY OF JANUARY AFTER PUBLICATION OF THE  
6 NOTICE. THE NOTICE SHALL INCLUDE A WRITTEN AND ILLUSTRATIVE  
7 EXPLANATION OF THE CALCULATIONS PERFORMED BY THE DEPARTMENT IN  
8 ESTABLISHING THE UNADJUSTED OR FINAL ADJUSTED BASE AMOUNTS UNDER  
9 THIS SUBSECTION FOR THE ENSUING CALENDAR YEAR.

10 (8) THE ANNUAL INCREASE IN THE PRELIMINARY ADJUSTED BASE  
11 AMOUNTS OBTAINED UNDER PARAGRAPHS (3) AND (4) SHALL NOT EXCEED  
12 THREE PER CENT.

13 SECTION 2. SECTIONS 1203, 1205 AND 1209 OF THE ACT ARE  
14 AMENDED TO READ:

15 SECTION 1203. CHIEF DEPUTY.--THE SHERIFF OF THE COUNTY SHALL  
16 APPOINT IN ACCORDANCE WITH SECTION 1216, BY COMMISSION DULY  
17 RECORDED IN THE [OFFICE FOR RECORDING DEEDS] DEPARTMENT OF REAL  
18 ESTATE, A CHIEF DEPUTY, WHOSE APPOINTMENT SHALL BE REVOCABLE BY  
19 THE SHERIFF AT PLEASURE ON RECORDING IN SAID [OFFICE] DEPARTMENT  
20 A SIGNED REVOCATION THEREOF. THE CHIEF DEPUTY, DURING HIS  
21 CONTINUANCE IN OFFICE, SHALL HAVE FULL POWER AND AUTHORITY TO  
22 PERFORM ANY DUTY INCUMBENT UPON SUCH SHERIFF WITH LIKE EFFECT IN  
23 LAW AS IF SUCH OFFICIAL ACT HAD BEEN DONE BY THE SHERIFF IN  
24 PERSON, REGARDLESS OF THE ABILITY OR TEMPORARY DISABILITY OF  
25 SUCH SHERIFF TO ACT WHILE SUCH SHERIFF CONTINUES IN OFFICE.  
26 NOTHING IN THIS SECTION SHALL OPERATE TO RELIEVE SUCH SHERIFF OR  
27 HIS SURETIES FROM LIABILITY UPON THEIR OFFICIAL BOND.

28 SECTION 1205. DEPUTIES AND CLERKS.--THE SHERIFF OF THE  
29 COUNTY MAY APPOINT IN ACCORDANCE WITH SECTION 1216 SUCH DEPUTIES  
30 AND CLERKS AS MAY BE NECESSARY TO PROPERLY TRANSACT THE BUSINESS



1 OF HIS OFFICE. [HE MAY REVOKE THE APPOINTMENT OF DEPUTIES IN THE  
2 SAME MANNER AS HIS CHIEF DEPUTY.]

3 SECTION 1209. PUBLIC LIST OF APPLICANTS FOR DEPUTY  
4 SHERIFF.--THE SHERIFF SHALL, FROM TIME TO TIME, PREPARE A LIST  
5 OF THE NAMES OF ALL PERSONS WHO HAVE APPLIED FOR APPOINTMENT AS  
6 DEPUTY SHERIFF AND WHO MEET THE QUALIFICATIONS HEREINBEFORE  
7 PRESCRIBED. SUCH LIST SHALL BE POSTED IN A PUBLIC PLACE FOR A  
8 PERIOD OF NOT LESS THAN TEN DAYS, AND THEREAFTER SHALL BE FILED  
9 IN THE [OFFICE OF THE PROTHONOTARY] DEPARTMENT OF COURT RECORDS  
10 - CIVIL DIVISION. NO DEPUTIES SHALL BE APPOINTED BY THE SHERIFF  
11 WHOSE NAMES DO NOT APPEAR ON SAID LIST.

12 SECTION 3. SECTION 1216 OF THE ACT, ADDED JANUARY 27, 1998  
13 (P.L.1, NO.1), IS AMENDED TO READ:

14 SECTION 1216. SHERIFF'S EMPLOYES, COUNTIES OF SECOND  
15 CLASS.--(A) APPOINTMENT AND PROMOTION OF DEPUTIES AND OTHER  
16 EMPLOYES IN THE OFFICE OF SHERIFF OF A COUNTY OF THE SECOND  
17 CLASS SHALL BE MADE IN THE MANNER PROVIDED BY THE ACT OF MAY 31,  
18 1974 (P.L.296, NO.94), ENTITLED "AN ACT PROVIDING FOR THE  
19 APPOINTMENT, PROMOTION, REDUCTION IN RANK, SUSPENSION, FURLOUGH,  
20 DISCHARGE AND REINSTATEMENT OF DEPUTY SHERIFFS IN COUNTIES OF  
21 THE SECOND CLASS; EXTENDING CIVIL SERVICE COVERAGE TO SUCH  
22 DEPUTIES; AND PROVIDING PENALTIES," EXCEPT AS OTHERWISE PROVIDED  
23 IN THIS SECTION.

24 (B) WHENEVER A VACANCY IS LIKELY TO OCCUR OR IS TO BE FILLED  
25 IN A PERMANENT POSITION IN THE OFFICE OF SHERIFF, THE SHERIFF  
26 SHALL SUBMIT TO THE [CIVIL SERVICE COMMISSION] DEPARTMENT OF  
27 HUMAN RESOURCES A STATEMENT INDICATING THE POSITION TO BE  
28 FILLED. THE [CIVIL SERVICE COMMISSION] DEPARTMENT OF HUMAN  
29 RESOURCES SHALL THEREUPON CERTIFY TO THE SHERIFF THE NAMES OF  
30 THE THREE ELIGIBLES WILLING TO ACCEPT APPOINTMENT WHO ARE

1 HIGHEST, ACCORDING TO THE RESULTS OF THE WRITTEN EXAMINATION, ON  
2 THE APPROPRIATE PROMOTION LIST OR EMPLOYMENT LIST, WHICHEVER IS  
3 IN EXISTENCE. IF THERE ARE LESS THAN THREE ELIGIBLES ON  
4 APPROPRIATE ELIGIBLE LISTS WHO ARE WILLING TO ACCEPT  
5 APPOINTMENT, THE [CIVIL SERVICE COMMISSION] DEPARTMENT OF HUMAN  
6 RESOURCES SHALL CERTIFY ALL THE NAMES ON THESE LISTS. IF UPON  
7 INQUIRY BY THE [CIVIL SERVICE COMMISSION] DEPARTMENT OF HUMAN  
8 RESOURCES OR APPROPRIATE AUTHORITY ANY PERSON ON ANY PROMOTION  
9 OR EMPLOYMENT LIST IS FOUND TO BE NOT AVAILABLE FOR PROMOTION OR  
10 APPOINTMENT, THE PERSON'S NAME SHALL NOT FOR THE TIME BEING BE  
11 CONSIDERED AMONG THE NAMES FROM WHICH A PROMOTION OR APPOINTMENT  
12 IS TO BE MADE.

13 (C) APPOINTEES SHALL BE SELECTED FOR EACH EXISTING VACANCY  
14 FROM THE ELIGIBLE LIST IN THE ORDER OF NAMES OF THE THREE  
15 PERSONS THEREON WHO HAVE RECEIVED THE HIGHEST AVERAGE ON THE  
16 WRITTEN EXAMINATION. EXAMINATIONS SHALL BE ADMINISTERED FOR  
17 POSITIONS OF THE RANK OF [CAPTAIN] LIEUTENANT AND BELOW, AND  
18 [APPOINTMENTS SHALL BE MADE IN THE ORDER OF NAMES OF] INTERVIEWS  
19 SHALL BE CONDUCTED WITH THE THREE PERSONS WHO HAVE RECEIVED THE  
20 HIGHEST AVERAGE. APPOINTMENTS SHALL BE MADE FROM AMONG THE THREE  
21 PERSONS WHO RECEIVED THE HIGHEST AVERAGE COMBINED SCORE OF THE  
22 EXAMINATION AND INTERVIEW.

23 (D) CIVIL SERVICE EXAMINATIONS TO TEST APPLICANTS SHALL  
24 RELATE TO SUCH MATTERS AND INCLUDE SUCH INQUIRIES AS WILL FAIRLY  
25 TEST THE MERITS AND FITNESS OF THE PERSONS EXAMINED TO DISCHARGE  
26 THE DUTIES OF EMPLOYMENT.


27 (E) PROBATIONARY APPOINTMENTS TO POSITIONS IN THE FORCE MAY,  
28 NOTWITHSTANDING SECTION 6 OF THE ACT OF MAY 31, 1974 (P.L.296,  
29 NO.94), BE TERMINATED, FOR CAUSE, PRIOR TO COMPLETION OF THE  
30 NINE-MONTH PROBATIONARY PERIOD.

1 (F) NOTWITHSTANDING THE PROVISIONS OF SECTION 1(C) OF THE  
2 ACT OF MAY 31, 1974 (P.L.296, NO.94), ALL POSITIONS OF THE RANK  
3 OF [CAPTAIN] LIEUTENANT AND BELOW SHALL BE CLASSIFIED AS  
4 COMPETITIVE, THEREBY EXTENDING CIVIL SERVICE COVERAGE TO SUCH  
5 LIEUTENANTS IN THE APPLICABLE BARGAINING UNIT. PERSONS HOLDING  
6 POSITIONS OF [CAPTAIN] LIEUTENANT OR BELOW ON THE EFFECTIVE DATE  
7 OF THIS SECTION SHALL CONTINUE TO OCCUPY THOSE POSITIONS BUT  
8 SHALL FULFILL THE REQUIREMENTS OF ANY FUTURE PROMOTIONS ON AND  
9 AFTER THE EFFECTIVE DATE OF THIS AMENDMENT. NEW OPENINGS FOR A  
10 VACANCY IN THE POSITION OF [CAPTAIN] LIEUTENANT AND BELOW SHALL  
11 BE CLASSIFIED AS COMPETITIVE ON AND AFTER THE EFFECTIVE DATE OF  
12 THIS SECTION.

13 (G) IN NO CASE SHALL AN APPLICANT FOR PROMOTION TO THE  
14 POSITION OF SERGEANT IN THE SHERIFF'S OFFICE BE CONSIDERED UNTIL  
15 THE APPLICANT SHALL HAVE FIRST SERVED THREE YEARS IN THE  
16 SHERIFF'S [DEPARTMENT] OFFICE AS A DEPUTY SHERIFF. NO MEMBER OF  
17 THE SHERIFF'S OFFICE SHALL BE ELIGIBLE TO TAKE ANY PROMOTIONAL  
18 EXAMINATION FOR THE POSITION OF SERGEANT UNTIL AFTER SERVING  
19 THREE (3) YEARS IN THE SHERIFF'S OFFICE AS A DEPUTY SHERIFF. NO  
20 MEMBER OF THE SHERIFF'S OFFICE SHALL BE ELIGIBLE TO TAKE A  
21 PROMOTIONAL EXAMINATION FOR THE POSITION OF LIEUTENANT UNLESS  
22 THE MEMBER HOLDS THE POSITION OF SERGEANT IN THE SHERIFF'S  
23 OFFICE. EACH MEMBER OF THE SHERIFF'S [DEPARTMENT] OFFICE SHALL  
24 HAVE HIS EXAMINATION MARK OR GRADE INCREASED BY AN ADDITIONAL  
25 ONE-HALF POINT FOR EACH YEAR HE SERVED IN THE SHERIFF'S  
26 [DEPARTMENT] OFFICE, BUT SUCH ADDITIONAL POINTS SHALL NOT EXCEED  
27 TEN POINTS. POINTS SHALL BE ADDED TO THE MARK OR GRADE OF ONLY  
28 THOSE MEMBERS PASSING THE EXAMINATION.

29 (H) ALL APPLICANTS FOR EXAMINATION SHALL UNDERGO A PHYSICAL  
30 EXAMINATION WHICH SHALL BE CONDUCTED UNDER THE SUPERVISION OF A

1 DOCTOR OF MEDICINE. NO PERSON SHALL BE ELIGIBLE FOR APPOINTMENT  
2 UNTIL A DOCTOR CERTIFIES TO THE [COMMISSION] DEPARTMENT OF HUMAN  
3 RESOURCES OR APPROPRIATE AUTHORITY THAT THE APPLICANT IS FREE  
4 FROM ANY [BODILY OR MENTAL DEFECTS, DEFORMITY OR DISEASE THAT  
5 MIGHT INCAPACITATE] PHYSICAL OR MENTAL CONDITIONS WHICH WOULD  
6 PRECLUDE HIM OR HER FROM THE DISCHARGE OF THE DUTIES OF THE  
7 POSITION DESIRED IN THE SHERIFF'S [DEPARTMENT] OFFICE.

8 SECTION ~~2~~ 4. SECTION 2001(A) AND (D) OF THE ACT, AMENDED   
9 NOVEMBER 30, 2004 (P.L.1439, NO.186), ARE AMENDED TO READ:

10 SECTION 2001. COUNTY COMMISSIONERS TO MAKE CONTRACTS.--THE  
11 COUNTY COMMISSIONERS MAY MAKE CONTRACTS FOR LAWFUL PURPOSES AND  
12 FOR THE PURPOSES OF CARRYING INTO EXECUTION THE PROVISIONS OF  
13 THIS SECTION AND THE LAWS OF THE COMMONWEALTH.

14 (A) EXCEPT AS PROVIDED IN SUBSECTION (A.1), ALL CONTRACTS OR  
15 PURCHASES IN EXCESS OF [TEN THOUSAND DOLLARS (\$10,000)] THE BASE  
16 AMOUNT OF EIGHTEEN THOUSAND FIVE HUNDRED DOLLARS (\$18,500),  
17 SUBJECT TO ADJUSTMENT UNDER SECTION 112, SHALL BE IN WRITING  
18 AND, EXCEPT THOSE HEREINAFTER MENTIONED AND EXCEPT AS PROVIDED  
19 BY THE ACT OF OCTOBER 27, 1979 (P.L.241, NO.78), ENTITLED "AN  
20 ACT AUTHORIZING POLITICAL SUBDIVISIONS, MUNICIPALITY AUTHORITIES  
21 AND TRANSPORTATION AUTHORITIES TO ENTER INTO CONTRACTS FOR THE  
22 PURCHASE OF GOODS AND THE SALE OF REAL AND PERSONAL PROPERTY  
23 WHERE NO BIDS ARE RECEIVED," SHALL NOT BE MADE EXCEPT WITH AND  
24 FROM THE LOWEST RESPONSIBLE AND RESPONSIVE BIDDER MEETING  
25 SPECIFICATIONS, AFTER DUE NOTICE IN AT LEAST ONE NEWSPAPER OF  
26 GENERAL CIRCULATION, PUBLISHED OR CIRCULATING IN THE COUNTY AT  
27 LEAST TWO (2) TIMES, AT INTERVALS OF NOT LESS THAN THREE (3)  
28 DAYS WHERE DAILY NEWSPAPERS OF GENERAL CIRCULATION ARE EMPLOYED  
29 FOR SUCH PUBLICATION, OR IN CASE WEEKLY NEWSPAPERS ARE EMPLOYED,  
30 THEN THE NOTICE SHALL BE PUBLISHED ONCE A WEEK FOR TWO (2)



1 SUCCESSIVE WEEKS. THE FIRST ADVERTISEMENT SHALL BE PUBLISHED NOT  
2 LESS THAN TEN (10) DAYS PRIOR TO THE DATE FIXED FOR THE OPENING  
3 OF BIDS.

4 \* \* \*

5 (D) THE CONTRACTS OR PURCHASES MADE BY THE COMMISSIONERS  
6 INVOLVING AN EXPENDITURE OF OVER [TEN THOUSAND DOLLARS  
7 (\$10,000)] THE BASE AMOUNT OF EIGHTEEN THOUSAND FIVE HUNDRED  
8 DOLLARS (\$18,500), SUBJECT TO ADJUSTMENT UNDER SECTION 112,  
9 WHICH SHALL NOT REQUIRE ADVERTISING OR BIDDING AS HEREINBEFORE  
10 PROVIDED ARE AS FOLLOWS:

11 (1) THOSE FOR MAINTENANCE, REPAIRS OR REPLACEMENTS FOR  
12 WATER, ELECTRIC LIGHT, OR OTHER PUBLIC WORKS: PROVIDED, THAT  
13 THEY DO NOT CONSTITUTE NEW ADDITIONS, EXTENSIONS OR ENLARGEMENTS  
14 OF EXISTING FACILITIES AND EQUIPMENT. SECURITY MAY BE REQUIRED  
15 BY THE COUNTY COMMISSIONERS AS IN OTHER CASES OF WORK DONE.

16 (2) THOSE MADE FOR IMPROVEMENTS, REPAIRS AND MAINTENANCE OF  
17 ANY KIND MADE OR PROVIDED BY THE COUNTY THROUGH ITS OWN  
18 EMPLOYEES. THIS PARAGRAPH SHALL NOT APPLY TO CONSTRUCTION  
19 MATERIALS USED IN A STREET IMPROVEMENT.

20 (3) THOSE WHERE PARTICULAR TYPES, MODELS OR PIECES OF NEW  
21 EQUIPMENT, ARTICLES, APPARATUS, APPLIANCES, VEHICLES OR PARTS  
22 THEREOF ARE DESIRED BY THE COUNTY COMMISSIONERS, WHICH ARE  
23 PATENTED AND MANUFACTURED PRODUCTS OR COPYRIGHTED PRODUCTS.

24 (4) THOSE INVOLVING ANY POLICIES OF INSURANCE OR SURETY  
25 COMPANY BONDS, THOSE MADE FOR PUBLIC UTILITY SERVICE AND  
26 ELECTRICITY, NATURAL GAS OR TELECOMMUNICATION SERVICES:  
27 PROVIDED, THAT, IN THE CASE OF UTILITIES NOT UNDER TARIFFS ON  
28 FILE WITH THE PENNSYLVANIA PUBLIC UTILITY COMMISSION, CONTRACTS  
29 MADE WITHOUT ADVERTISING AND BIDDING SHALL BE MADE ONLY AFTER  
30 RECEIVING WRITTEN OR TELEPHONIC PRICE QUOTATIONS FROM AT LEAST

1 THREE (3) QUALIFIED AND RESPONSIBLE CONTRACTORS, OR IN LIEU OF  
2 PRICE QUOTATIONS A MEMORANDUM SHALL BE KEPT ON FILE SHOWING THAT  
3 FEWER THAN THREE (3) QUALIFIED CONTRACTORS EXIST IN THE MARKET  
4 AREA WITHIN WHICH IT IS PRACTICABLE TO OBTAIN QUOTATIONS. A  
5 WRITTEN RECORD OF TELEPHONIC PRICE QUOTATIONS SHALL BE MADE AND  
6 CONTAIN AT LEAST THE DATE OF THE QUOTATION, THE NAME OF THE  
7 CONTRACTOR AND THE CONTRACTOR'S REPRESENTATIVE.

8 (5) THOSE INVOLVING PERSONAL OR PROFESSIONAL SERVICES,  
9 INCLUDING, BUT NOT LIMITED TO, SERVICES OF MEMBERS OF THE  
10 MEDICAL OR LEGAL PROFESSION, REGISTERED ARCHITECTS, ENGINEERS,  
11 CERTIFIED PUBLIC ACCOUNTANTS OR OTHER PERSONAL SERVICES  
12 INVOLVING PROFESSIONAL EXPERTISE.

13 (6) THOSE INVOLVING TANGIBLE CLIENT SERVICES PROVIDED BY  
14 NONPROFIT AGENCIES. FOR THE PURPOSES OF THIS CLAUSE, THE TERM  
15 "TANGIBLE CLIENT SERVICES" SHALL MEAN CONGREGATE MEALS, HOME-  
16 DELIVERED MEALS, TRANSPORTATION AND CHORE SERVICES PROVIDED  
17 THROUGH AREA AGENCIES ON AGING.

18 (6.1) THOSE INVOLVING CONTRACTS ENTERED INTO BY NONPROFIT  
19 COOPERATIVE HOSPITAL SERVICE ASSOCIATIONS FOR HOSPITALS AND  
20 NURSING HOMES WHICH ARE PART OF THE INSTITUTIONAL DISTRICT OR  
21 WHICH ARE OWNED BY THE COUNTY, OPERATED BY THE COUNTY OR  
22 AFFILIATED WITH THE COUNTY BY THE PURCHASING OF OR PARTICIPATING  
23 IN CONTRACTS FOR MATERIALS, SUPPLIES AND EQUIPMENT.

24 (7) THOSE INVOLVING THE PURCHASE OF MILK.

25 (8) THOSE MADE WITH ANY PUBLIC BODY, INCLUDING, BUT NOT  
26 LIMITED TO, THE SALE, LEASE OR LOAN OF ANY SUPPLIES OR MATERIALS  
27 TO THE COUNTY BY A PUBLIC BODY, PROVIDED THAT THE PRICE THEREOF  
28 SHALL NOT BE IN EXCESS OF THAT FIXED BY THE PUBLIC BODY. THE  
29 REQUIREMENTS OF 53 PA.C.S. CH. 23 SUBCH. A (RELATING TO  
30 INTERGOVERNMENTAL COOPERATION) SHALL NOT APPLY WHEN A COUNTY

PURCHASES COOPERATIVELY WITH ANOTHER PUBLIC BODY WHICH HAS  
ENTERED INTO A CONTRACT FOR SUPPLIES OR MATERIALS. AS USED IN  
THIS PARAGRAPH, "PUBLIC BODY" SHALL MEAN ANY OF THE FOLLOWING:

(I) THE FEDERAL GOVERNMENT;

(II) THE COMMONWEALTH OF PENNSYLVANIA;

(III) ANY OTHER STATE;

(IV) A POLITICAL SUBDIVISION, LOCAL OR MUNICIPAL AUTHORITY  
OR OTHER SIMILAR LOCAL ENTITY OF THE COMMONWEALTH OR ANY OTHER  
STATE; OR

(V) AN AGENCY OF THE FEDERAL GOVERNMENT, THE COMMONWEALTH OR  
ANY OTHER STATE.

(9) THOSE EXCLUSIVELY INVOLVING CONSTRUCTION MANAGEMENT  
SERVICES.

(10) THOSE INVOLVING COMPUTER SOFTWARE.

\* \* \*

SECTION ~~3~~ 5. SECTION 2517(A) OF THE ACT, AMENDED DECEMBER 9,  
2002 (P.L.1383, NO.170), IS AMENDED TO READ:

SECTION 2517. SEPARATE SPECIFICATIONS AND CONTRACTS FOR  
CERTAIN ITEMS.--(A) IN THE PREPARATION OF SPECIFICATIONS FOR  
THE ERECTION, CONSTRUCTION AND ALTERATION OF ANY PUBLIC  
BUILDING, WHEN THE ENTIRE COST OF SUCH WORK SHALL EXCEED [TEN  
THOUSAND DOLLARS (\$10,000)] THE BASE AMOUNT OF EIGHTEEN THOUSAND  
FIVE HUNDRED DOLLARS (\$18,500), SUBJECT TO ADJUSTMENT UNDER  
SECTION 112, THE ARCHITECT, ENGINEER OR OTHER PERSON PREPARING  
SUCH SPECIFICATIONS SHALL PREPARE SEPARATE SPECIFICATIONS FOR  
THE PLUMBING, HEATING, VENTILATING AND ELECTRICAL WORK. THE  
BOARD OF COMMISSIONERS SHALL RECEIVE SEPARATE BIDS UPON EACH OF  
THE SAID BRANCHES OF WORK AND AWARD THE CONTRACT FOR THE SAME TO  
THE LOWEST RESPONSIBLE BIDDER FOR EACH OF SAID BRANCHES.

\* \* \*



SECTION 4 6. SECTION 2511-A(A), (B), (B.1) AND (H) OF THE  
ACT, ADDED OCTOBER 30, 2000 (P.L.616, NO.85), ARE AMENDED TO  
READ:

SECTION 2511-A. COMPETITION IN AWARD OF CONTRACTS.--(A) ALL  
CONSTRUCTION, RECONSTRUCTION, REPAIRS OR WORK OF ANY NATURE MADE  
BY ANY AUTHORITY, WHERE THE ENTIRE COST, VALUE OR AMOUNT OF SUCH  
CONSTRUCTION, RECONSTRUCTION, REPAIRS OR WORK, INCLUDING LABOR  
AND MATERIALS, SHALL EXCEED [TEN THOUSAND DOLLARS (\$10,000)] THE  
BASE AMOUNT OF EIGHTEEN THOUSAND FIVE HUNDRED DOLLARS (\$18,500),  
SUBJECT TO ADJUSTMENT UNDER SECTION 112, EXCEPT CONSTRUCTION,  
RECONSTRUCTION, REPAIRS OR WORK DONE BY EMPLOYEES OF SAID  
AUTHORITY OR BY LABOR SUPPLIED UNDER AGREEMENT WITH ANY FEDERAL  
OR STATE AGENCY WITH SUPPLIES AND MATERIALS PURCHASED, AS  
HEREINAFTER PROVIDED, SHALL BE DONE ONLY UNDER CONTRACT OR  
CONTRACTS TO BE ENTERED INTO BY THE AUTHORITY WITH THE LOWEST  
RESPONSIBLE BIDDER UPON PROPER TERMS, AFTER DUE PUBLIC NOTICE  
HAS BEEN GIVEN ASKING FOR COMPETITIVE BIDS HEREINAFTER PROVIDED.  
NO CONTRACT SHALL BE ENTERED INTO FOR CONSTRUCTION OR  
IMPROVEMENT OR REPAIR OF ANY PROJECT OR PORTION THEREOF UNLESS  
THE CONTRACTOR SHALL GIVE AN UNDERTAKING, WITH A SUFFICIENT  
SURETY OR SURETIES APPROVED BY THE AUTHORITY AND IN AN AMOUNT  
FIXED BY THE AUTHORITY, FOR THE FAITHFUL PERFORMANCE OF THE  
CONTRACT. ALL SUCH CONTRACTS SHALL PROVIDE, AMONG OTHER THINGS,  
THAT THE PERSON OR CORPORATION ENTERING INTO SUCH CONTRACT WITH  
THE AUTHORITY WILL PAY FOR ALL MATERIALS FURNISHED AND SERVICES  
RENDERED FOR THE PERFORMANCE OF THE CONTRACT AND THAT ANY PERSON  
OR CORPORATION FURNISHING SUCH MATERIALS OR RENDERING SUCH  
SERVICES MAY MAINTAIN AN ACTION TO RECOVER FOR THE SAME AGAINST  
THE OBLIGOR IN THE UNDERTAKING AS THOUGH SUCH PERSON OR  
CORPORATION WAS NAMED THEREIN, PROVIDED THE ACTION IS BROUGHT

1 WITHIN ONE (1) YEAR AFTER THE TIME THE CAUSE OF ACTION ACCRUED.  
2 NOTHING IN THIS SECTION SHALL BE CONSTRUED TO LIMIT THE POWER OF  
3 THE AUTHORITY TO CONSTRUCT, REPAIR OR IMPROVE ANY PROJECT OR  
4 PORTION THEREOF OR ANY ADDITION, BETTERMENT OR EXTENSION THERETO  
5 DIRECTLY BY THE OFFICERS, AGENTS AND EMPLOYES OF THE AUTHORITY  
6 OR OTHERWISE THAN BY CONTRACT.

7 (B) ALL SUPPLIES AND MATERIALS COSTING [TEN THOUSAND DOLLARS  
8 (\$10,000)] THE BASE AMOUNT OF EIGHTEEN THOUSAND FIVE HUNDRED  
9 DOLLARS (\$18,500), SUBJECT TO ADJUSTMENT UNDER SECTION 112, OR  
10 MORE SHALL BE PURCHASED ONLY AFTER DUE ADVERTISEMENT AS  
11 HEREINAFTER PROVIDED. THE AUTHORITY SHALL ACCEPT THE LOWEST BID  
12 OR BIDS, KINDS, QUALITY AND MATERIAL BEING EQUAL, BUT THE  
13 AUTHORITY SHALL HAVE THE RIGHT TO REJECT ANY OR ALL BIDS OR  
14 SELECT A SINGLE ITEM FROM ANY BID. THE PROVISIONS AS TO BIDDING  
15 SHALL NOT APPLY TO THE PURCHASE OF PATENTED AND MANUFACTURED  
16 PRODUCTS OFFERED FOR SALE IN A NON-COMPETITIVE MARKET OR SOLELY  
17 BY A MANUFACTURER'S AUTHORIZED DEALER.

18 (B.1) WRITTEN OR TELEPHONIC PRICE QUOTATIONS FROM AT LEAST  
19 THREE (3) QUALIFIED AND RESPONSIBLE CONTRACTORS SHALL BE  
20 REQUESTED FOR ALL CONTRACTS THAT EXCEED [FOUR THOUSAND DOLLARS  
21 (\$4,000)] THE BASE AMOUNT OF TEN THOUSAND DOLLARS (\$10,000),  
22 SUBJECT TO ADJUSTMENT UNDER SECTION 112, BUT ARE LESS THAN THE  
23 AMOUNT REQUIRING ADVERTISEMENT AND COMPETITIVE BIDDING, OR, IN  
24 LIEU OF PRICE QUOTATIONS, A MEMORANDUM SHALL BE KEPT ON FILE  
25 SHOWING THAT FEWER THAN THREE (3) QUALIFIED CONTRACTORS EXIST IN  
26 THE MARKET AREA WITHIN WHICH IT IS PRACTICABLE TO OBTAIN  
27 QUOTATIONS. A WRITTEN RECORD OF TELEPHONIC PRICE QUOTATIONS  
28 SHALL BE MADE AND SHALL CONTAIN AT LEAST THE DATE OF THE  
29 QUOTATION, THE NAME OF THE CONTRACTOR AND THE CONTRACTOR'S  
30 REPRESENTATIVE, THE CONSTRUCTION, RECONSTRUCTION, REPAIR,

1 MAINTENANCE OR WORK WHICH WAS THE SUBJECT OF THE QUOTATION AND  
2 THE PRICE. WRITTEN PRICE QUOTATIONS, WRITTEN RECORDS OF  
3 TELEPHONIC PRICE QUOTATIONS AND MEMORANDA SHALL BE RETAINED FOR  
4 A PERIOD OF THREE (3) YEARS.

5 \* \* \*

6 (H) AN AUTHORITY SHALL NOT EVADE THE PROVISIONS OF THIS  
7 SECTION AS TO ADVERTISING FOR BIDS OR PURCHASING MATERIALS OR  
8 CONTRACTING FOR SERVICES PIECEMEAL FOR THE PURPOSE OF OBTAINING  
9 PRICES UNDER [TEN THOUSAND DOLLARS (\$10,000)] THE BASE AMOUNT OF  
10 EIGHTEEN THOUSAND FIVE HUNDRED DOLLARS (\$18,500), SUBJECT TO  
11 ADJUSTMENT UNDER SECTION 112, UPON TRANSACTIONS WHICH SHOULD, IN  
12 THE EXERCISE OF REASONABLE DISCRETION AND PRUDENCE, BE CONDUCTED  
13 AS ONE TRANSACTION AMOUNTING TO MORE THAN [TEN THOUSAND DOLLARS  
14 (\$10,000)] THE BASE AMOUNT OF EIGHTEEN THOUSAND FIVE HUNDRED  
15 DOLLARS (\$18,500), SUBJECT TO ADJUSTMENT UNDER SECTION 112. THIS  
16 PROVISION IS INTENDED TO MAKE UNLAWFUL THE PRACTICE OF EVADING  
17 ADVERTISING REQUIREMENTS BY MAKING A SERIES OF PURCHASES OR  
18 CONTRACTS EACH FOR LESS THAN THE ADVERTISING REQUIREMENT PRICE  
19 OR BY MAKING SEVERAL SIMULTANEOUS PURCHASES OR CONTRACTS EACH  
20 BELOW SAID PRICE WHEN IN EITHER CASE THE TRANSACTION INVOLVED  
21 SHOULD HAVE BEEN MADE AS ONE TRANSACTION FOR ONE PRICE.

22 \* \* \*

23 SECTION ~~5~~ 7. THIS ACT SHALL APPLY TO CONTRACTS AND PURCHASES  
24 ADVERTISED ON OR AFTER JANUARY 1 OF THE YEAR FOLLOWING THE  
25 EFFECTIVE DATE OF THIS SECTION.

26 ~~SECTION 6. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.~~

27 SECTION 8. THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

28 (1) THE AMENDMENT OF SECTIONS 1203, 1205, 1209 AND 1216  
29 OF THE ACT SHALL TAKE EFFECT IN 60 DAYS.

30 (2) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT

1 IMMEDIATELY.