

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 296 Session of
2011

INTRODUCED BY EICHELBERGER, SCARNATI, KASUNIC, FOLMER, GORDNER,
BOSCOLA, ORIE, YAW, RAFFERTY, M. WHITE, D. WHITE, ERICKSON,
BAKER, ALLOWAY, BRUBAKER, GREENLEAF, FERLO, ROBBINS, VANCE,
EARLL, SMUCKER, McILHINNEY, PICCOLA, MENSCH AND BROWNE,
JANUARY 26, 2011

SENATOR CORMAN, APPROPRIATIONS, RE-REPORTED AS AMENDED,
SEPTEMBER 20, 2011

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," providing for adjustments based on
6 Consumer Price Index; and further providing for work to be
7 done under contract let on bids and exception, for purchase
8 of supplies, for contracts for construction, repair,
9 renovation or maintenance, for project contracts and for
10 powers and duties of institution presidents.

11 The General Assembly of the Commonwealth of Pennsylvania
12 hereby enacts as follows:

13 Section 1. The act of March 10, 1949 (P.L.30, No.14), known
14 as the Public School Code of 1949, is amended by adding a
15 section to read:

16 ~~Section 118. Adjustments Based on Consumer Price Index. (a) ←~~
17 ~~(1) Every five years, beginning with the year in which this~~
18 ~~subsection becomes applicable to contracts and purchases, the~~
19 ~~Department of Labor and Industry shall calculate the average~~
20 ~~percentage change in the Consumer Price Index for All Urban~~

~~1 Consumers (CPI-U) for the United States city average for all~~
~~2 items as published by the United States Department of Labor,~~
~~3 Bureau of Labor Statistics, for the preceding five year period.~~

~~4 (2) The amounts at which competitive bidding or written or~~
~~5 telephonic price quotations are required under this act shall be~~
~~6 adjusted every five years as follows:~~

~~7 (i) In the case of competitive bidding, the positive~~
~~8 percentage change, as determined in accordance with clause (1),~~
~~9 shall be multiplied by the amount applicable under the provision~~
~~10 requiring competitive bidding for the current five year period~~
~~11 and the product thereof shall be added to the amount applicable~~
~~12 under the provision requiring competitive bidding for the~~
~~13 current five year period, with the result rounded to the nearest~~
~~14 multiple of one hundred dollars (\$100).~~

~~15 (ii) In the case of written or telephonic price quotations,~~
~~16 the positive percentage change, as determined in accordance with~~
~~17 clause (1), shall be multiplied by the amount applicable under~~
~~18 the provision requiring written or telephonic price quotations~~
~~19 for the current five year period and the product thereof shall~~
~~20 be added to the amount applicable under the provision requiring~~
~~21 written or telephonic price quotations for the current five year~~
~~22 period, with the result rounded to the nearest multiple of one~~
~~23 hundred dollars (\$100).~~

~~24 (3) The determination required under clause (1) and the~~
~~25 calculation of the adjustments required under clause (2) shall~~
~~26 be made in the period between October 1 and November 15 of the~~
~~27 year following the effective date of this subsection, and~~
~~28 between October 1 and November 15 of each successive year.~~

~~29 (4) The adjusted amounts obtained in accordance with clause~~
~~30 (2) shall become effective January 1 for the five year period~~

1 ~~following the year in which the determination required under~~
2 ~~clause (1) is made.~~

3 ~~(5) The Department of Labor and Industry shall give notice~~
4 ~~in the Pennsylvania Bulletin prior to January 1 of each calendar~~
5 ~~year in which the percentage change is determined in accordance~~
6 ~~with clause (1) of the amounts, whether adjusted or unadjusted~~
7 ~~in accordance with clause (2), at which competitive bidding or~~
8 ~~written or telephonic price quotations are required for the~~
9 ~~five year period beginning the first day of January after~~
10 ~~publication of the notice.~~

11 SECTION 119. ADJUSTMENTS BASED ON CONSUMER PRICE INDEX.--
12 ADJUSTMENTS TO THE BASE AMOUNTS SHALL BE MADE AS FOLLOWS:

13 (1) THE DEPARTMENT OF LABOR AND INDUSTRY SHALL DETERMINE THE
14 PERCENTAGE CHANGE IN THE ALL ITEMS CONSUMER PRICE INDEX FOR ALL
15 URBAN CONSUMERS (CPI-U) FOR THE UNITED STATES CITY AVERAGE AS
16 PUBLISHED BY THE UNITED STATES DEPARTMENT OF LABOR, BUREAU OF
17 LABOR STATISTICS, FOR THE TWELVE-MONTH PERIOD ENDING SEPTEMBER
18 30, 2012, AND FOR EACH SUCCESSIVE TWELVE-MONTH PERIOD
19 THEREAFTER.

20 (2) IF THE DEPARTMENT DETERMINES THAT THERE IS NO POSITIVE
21 PERCENTAGE CHANGE, THEN NO ADJUSTMENT TO THE BASE AMOUNTS SHALL
22 OCCUR FOR THE RELEVANT TIME PERIOD.

23 (3) (I) IF THE DEPARTMENT DETERMINES THAT THERE IS A
24 POSITIVE PERCENTAGE CHANGE IN THE FIRST YEAR THAT THE
25 DETERMINATION IS MADE UNDER PARAGRAPH (1), THE POSITIVE
26 PERCENTAGE CHANGE SHALL BE MULTIPLIED BY EACH BASE AMOUNT AND
27 THE PRODUCTS SHALL BE ADDED TO THE BASE AMOUNTS, RESPECTIVELY,
28 AND THE SUMS SHALL BE PRELIMINARY ADJUSTED AMOUNTS.

29 (II) THE PRELIMINARY ADJUSTED AMOUNTS SHALL BE ROUNDED TO
30 THE NEAREST ONE THOUSAND DOLLARS (\$1,000), TO DETERMINE THE

1 FINAL ADJUSTED BASE AMOUNTS.

2 (4) IN EACH SUCCESSIVE YEAR IN WHICH THERE IS A POSITIVE
3 PERCENTAGE CHANGE IN THE CPI-U FOR THE UNITED STATES CITY
4 AVERAGE, THE POSITIVE PERCENTAGE CHANGE SHALL BE MULTIPLIED BY
5 THE MOST RECENT PRELIMINARY ADJUSTED AMOUNTS AND THE PRODUCTS
6 SHALL BE ADDED TO THE PRELIMINARY ADJUSTED AMOUNT OF THE PRIOR
7 YEAR TO CALCULATE THE PRELIMINARY ADJUSTED AMOUNTS FOR THE
8 CURRENT YEAR. THE SUMS THEREOF SHALL BE ROUNDED TO THE NEAREST
9 ONE THOUSAND DOLLARS (\$1,000) TO DETERMINE THE NEW FINAL
10 ADJUSTED BASE AMOUNTS.

11 (5) THE DETERMINATIONS AND ADJUSTMENTS REQUIRED UNDER THIS
12 SECTION SHALL BE MADE IN THE PERIOD BETWEEN OCTOBER 1 AND
13 NOVEMBER 15 OF THE YEAR FOLLOWING THE EFFECTIVE DATE OF THIS
14 SECTION, AND ANNUALLY BETWEEN OCTOBER 1 AND NOVEMBER 15 OF EACH
15 YEAR THEREAFTER.

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

20 (7) THE DEPARTMENT SHALL PUBLISH NOTICE IN THE PENNSYLVANIA
21 BULLETIN PRIOR TO JANUARY 1 OF EACH CALENDAR YEAR OF THE ANNUAL
22 PERCENTAGE CHANGE DETERMINED UNDER PARAGRAPH (1) AND THE
23 UNADJUSTED OR FINAL ADJUSTED BASE AMOUNTS DETERMINED UNDER
24 PARAGRAPHS (3) AND (4) AT WHICH COMPETITIVE BIDDING IS REQUIRED
25 AND WRITTEN OR TELEPHONIC PRICE QUOTATIONS ARE REQUIRED,
26 RESPECTIVELY, FOR THE CALENDAR YEAR BEGINNING THE FIRST DAY OF
27 JANUARY AFTER PUBLICATION OF THE NOTICE. THE NOTICE SHALL
28 INCLUDE A WRITTEN AND ILLUSTRATIVE EXPLANATION OF THE
29 CALCULATIONS PERFORMED BY THE DEPARTMENT IN ESTABLISHING THE
30 UNADJUSTED OR FINAL ADJUSTED BASE AMOUNTS UNDER THIS SECTION FOR

1 THE ENSUING CALENDAR YEAR.

2 (8) NO ADJUSTMENT TO THE BASE AMOUNTS SHALL EXCEED THREE
3 PERCENT OF THE MOST RECENTLY ADJUSTED BASE AMOUNT.

4 Section 2. Sections 751(a), (a.1), (b) and (f) and 807.1 of
5 the act, amended or added May 4, 1990 (P.L.164, No.38), are
6 amended to read:

7 Section 751. Work to be Done Under Contract Let on Bids;
8 Exception.--(a) All construction, reconstruction, repairs,
9 maintenance or work of any nature, including the introduction of
10 plumbing, heating and ventilating, or lighting systems, upon any
11 school building or upon any school property, or upon any
12 building or portion of a building leased under the provisions of
13 section 703.1, made by any school district, where the entire
14 cost, value, or amount of such construction, reconstruction,
15 repairs, maintenance or work, including labor and material,
16 shall exceed [ten thousand dollars (\$10,000)] ~~twenty five~~ ←
17 ~~thousand dollars (\$25,000)~~ A BASE AMOUNT OF EIGHTEEN THOUSAND ←
18 FIVE HUNDRED DOLLARS (\$18,500), subject to adjustment under
19 section ~~118~~ 119, shall be done under separate contracts to be ←
20 entered into by such school district with the lowest responsible
21 bidder, upon proper terms, after due public notice has been
22 given asking for competitive bids. Whenever a board of school
23 directors shall approve the use of a prefabricated unit,
24 complete in itself, for a school building or other proper
25 structure to be erected upon school property, the board of
26 school directors may have prepared appropriate specifications
27 detailing the size and material desired in a particular
28 prefabricated unit, including all utilities such as plumbing,
29 heating and ventilating, and electrical work, and may advertise
30 for a single bid on all the work and award the contract therefor

1 to the lowest responsible bidder: Provided, That if due to an
2 emergency a school plant or any part thereof becomes unusable
3 competitive bids for repairs or replacement may be solicited
4 from at least three responsible bidders, and upon the approval
5 of any of these bids by the Secretary of Education, the board of
6 school directors may proceed at once to make the necessary
7 repairs or replacements in accordance with the terms of said
8 approved bid or bids.

9 (a.1) Written or telephonic price quotations from at least
10 three qualified and responsible contractors shall be requested
11 by the board of school directors for all contracts that exceed
12 [four thousand dollars (\$4,000)] ~~seven thousand dollars (\$7,000)~~ ←
13 A BASE AMOUNT OF TEN THOUSAND DOLLARS (\$10,000), subject to ←
14 adjustment under section ~~118~~ 119, but are less than the amount ←
15 requiring advertisement and competitive bidding, or, in lieu of
16 price quotations, a memorandum shall be kept on file showing
17 that fewer than three qualified contractors exist in the market
18 area within which it is practicable to obtain quotations. A
19 written record of telephonic price quotations shall be made and
20 shall contain at least the date of the quotation, the name of
21 the contractor and the contractor's representative, the
22 construction, reconstruction, repair, maintenance or work which
23 was the subject of the quotation and the price. Written price
24 quotations, written records of telephonic price quotations and
25 memoranda shall be retained for a period of three years.

26 (b) The board of school directors in any school district may
27 perform any construction, reconstruction, repairs, or work of
28 any nature, where the entire cost or value, including labor and
29 material, is less than [five thousand dollars (\$5000)] ~~seven~~ ←
30 thousand dollars (\$7,000) A BASE AMOUNT OF TEN THOUSAND DOLLARS ←

1 ~~(\$10,000)~~, subject to adjustment under section ~~118~~ 119, by its ←
2 own maintenance personnel. The board of school directors in any
3 school district may authorize the secretary of the board or
4 other executive to award contracts for construction,
5 reconstruction, repairs, or work of any nature, where the entire
6 cost or value, including labor and material, [is ten thousand
7 dollars (\$10,000)] subject to adjustment under section ~~118~~ 119, ←
8 is ~~twenty five thousand dollars (\$25,000)~~ A BASE AMOUNT OF ←
9 EIGHTEEN THOUSAND FIVE HUNDRED DOLLARS (\$18,500) or less,
10 without soliciting competitive bids, subject, however, to the
11 provisions of subsection (a.1).

12 * * *

13 (f) No board of school directors shall evade the provisions
14 of this section as to advertising for bids or purchasing
15 materials or contracting for services piecemeal for the purpose
16 of obtaining prices under [ten thousand dollars (\$10,000)]
17 ~~twenty five thousand dollars (\$25,000)~~ A BASE AMOUNT OF EIGHTEEN ←
18 THOUSAND FIVE HUNDRED DOLLARS (\$18,500), subject to adjustment
19 under section ~~118~~ 119, upon transactions which should, in the ←
20 exercise of reasonable discretion and prudence, be conducted as
21 one transaction amounting to more than [ten thousand dollars
22 (\$10,000)] ~~twenty five thousand dollars (\$25,000)~~ A BASE AMOUNT ←
23 OF EIGHTEEN THOUSAND FIVE HUNDRED DOLLARS (\$18,500), subject to
24 adjustment under section ~~118~~ 119. This provision is intended to ←
25 make unlawful the practice of evading advertising requirements
26 by making a series of purchases or contracts each for less than
27 the advertising requirement price, or by making several
28 simultaneous purchases or contracts each below said price, when
29 in either case the transaction involved should have been made as
30 one transaction for one price.

1 Section 807.1. Purchase of Supplies.--(a) All furniture,
2 equipment, textbooks, school supplies and other appliances for
3 the use of the public schools, costing [ten thousand dollars
4 (\$10,000)], subject to adjustment under section 118, twenty five ←
5 thousand dollars (\$25,000) 119, A BASE AMOUNT OF EIGHTEEN ←
6 THOUSAND FIVE HUNDRED DOLLARS (\$18,500) or more shall be
7 purchased by the board of school directors only after due
8 advertisement as hereinafter provided. Supplies, subject to ←
9 adjustment under section 118, costing [ten thousand dollars
10 (\$10,000)] twenty five thousand dollars (\$25,000) SUPPLIES ←
11 COSTING [TEN THOUSAND DOLLARS (\$10,000)], SUBJECT TO ADJUSTMENT
12 UNDER SECTION 119, A BASE AMOUNT OF EIGHTEEN THOUSAND FIVE
13 HUNDRED DOLLARS (\$18,500) or more shall be purchased by the
14 board of school directors only after public notice has been
15 given by advertisement once a week for three (3) weeks in not
16 less than two (2) newspapers of general circulation. In any
17 district where no newspaper is published, said notice may, in
18 lieu of such publication, be posted in at least five (5) public
19 places.

20 (a.1) Written or telephonic price quotations from at least
21 three qualified and responsible vendors shall be requested by
22 the board of school directors for all purchases of supplies that
23 exceed [four thousand dollars (\$4,000)] seven thousand dollars ←
24 (\$7,000) A BASE AMOUNT OF TEN THOUSAND DOLLARS (\$10,000), ←
25 subject to adjustment under section 118 119, but are less than ←
26 the amount requiring advertisement and competitive bidding, or,
27 in lieu of price quotations, a memorandum shall be kept on file
28 showing that fewer than three qualified vendors exist in the
29 market area within which it is practicable to obtain quotations.
30 A written record of telephonic price quotations shall be made

1 and shall contain at least the date of the quotation, the name
2 of the vendor and the vendor's representative, the supplies
3 which were the subject of the quotation and the price of the
4 supplies. Written price quotations, written records of
5 telephonic price quotations and memoranda shall be retained for
6 a period of three years.

7 (b) The board of school directors shall accept the bid of
8 the lowest responsible bidder, kind, quality, and material being
9 equal, but shall have the right to reject any and all bids, or
10 select a single item from any bid. The board of school directors
11 in any district may authorize or appoint the secretary of the
12 board or other executive as purchasing agent for the district,
13 with authority to purchase supplies [costing] THAT COST A BASE ←
14 AMOUNT OF less than [ten thousand dollars (\$10,000)] ~~twenty five~~ ←
15 ~~thousand dollars (\$25,000)~~ EIGHTEEN THOUSAND FIVE HUNDRED ←
16 DOLLARS (\$18,500), subject to adjustment under section 118 119. ←

17 (c) The following shall be exempt from the above provisions:
18 maps, music, globes, charts, educational films, filmstrips,
19 prepared transparencies and slides, pre-recorded magnetic tapes
20 and disc recordings, textbooks, games, toys, prepared kits,
21 flannel board materials, flash cards, models, projectuals and
22 teacher demonstration devices necessary for school use.

23 (d) No board of school directors shall evade the provisions
24 of this section as to advertising for bids or purchasing
25 materials piecemeal for the purpose of obtaining prices under
26 [ten thousand dollars (\$10,000)] ~~twenty five thousand dollars~~ ←
27 ~~(\$25,000)~~ THE BASE AMOUNT OF EIGHTEEN THOUSAND FIVE HUNDRED ←
28 DOLLARS (\$18,500), subject to adjustment under section 118 119, ←
29 upon transactions which should, in the exercise of reasonable
30 discretion and prudence, be conducted as one transaction

1 amounting to more than [ten thousand dollars (\$10,000)] ~~twenty~~ ←
2 ~~five thousand dollars (\$25,000)~~ A BASE AMOUNT OF EIGHTEEN ←
3 THOUSAND FIVE HUNDRED DOLLARS (\$18,500), subject to adjustment
4 under section ~~118~~ 119. This provision is intended to make ←
5 unlawful the practice of evading advertising requirements by
6 making a series of purchases or contracts each for less than the
7 advertising requirement price, or by making several simultaneous
8 purchases or contracts each below said price, when in either
9 case the transaction involved should have been made as one
10 transaction for one price.

11 Section 3. Section 1913-B.1(c) of the act, added December 9,
12 2002 (P.L.1472, No.187), is amended to read:

13 Section 1913-B.1. Contracts for Construction, Repair,
14 Renovation or Maintenance.--* * *

15 (c) All contracts, other than contracts for the retention of
16 architects and engineers, authorized by this section which
17 exceed [ten thousand dollars (\$10,000) or any larger amount as
18 otherwise provided for in 62 Pa.C.S. (relating to procurement)]
19 ~~twenty five thousand dollars (\$25,000)~~ A BASE AMOUNT OF EIGHTEEN ←
20 THOUSAND FIVE HUNDRED DOLLARS (\$18,500), subject to adjustment
21 under section ~~118~~ 119, shall be advertised in the manner ←
22 provided by law and competitively bid and awarded to the lowest
23 responsible bidder. In case of emergencies and notwithstanding
24 any other provision of this section to the contrary, the board
25 of trustees may make or authorize others to make an emergency
26 procurement whenever a threat exists to public health, welfare
27 or safety or circumstances outside the control of the college
28 and creates an urgency of need which does not permit the delay
29 involved in using more formal competitive methods. Whenever
30 practical, in the case of a procurement of a supply, at least

1 two (2) bids shall be solicited. A written determination of the
2 basis for the emergency and for the selection of the particular
3 contractor shall be included in the contract file.

4 * * *

5 Section 4. ~~Sections 2003-A.1(c) and 2010-A(10)~~ SECTION ←
6 2003-A.1(C) of the act, amended April 27, 1998 (P.L.270, No.46),
7 ~~are~~ IS amended AND THE SECTION IS AMENDED BY ADDING A SUBSECTION ←
8 to read:

9 Section 2003-A.1. Project Contracts.--* * *

10 (c) All contracts, other than contracts for the retention of
11 architects and engineers, authorized by this section which
12 exceed [ten thousand dollars (\$10,000)] ~~twenty five thousand~~ ←
13 ~~dollars (\$25,000)~~ A BASE AMOUNT OF EIGHTEEN THOUSAND FIVE ←
14 HUNDRED DOLLARS (\$18,500), subject to adjustment under section ←
15 118 SUBSECTION (C.1), shall be advertised in the manner provided ←
16 by law and competitively bid and awarded to the lowest
17 responsible bidder. In case of emergencies and notwithstanding
18 any other provision of this section to the contrary, the
19 chancellor may make or authorize others to make an emergency
20 procurement whenever a threat exists to public health, welfare
21 or safety or circumstances outside the control of the State
22 system and creates an urgency of need which does not permit the
23 delay involved in using more formal competitive methods.

24 Whenever practical, in the case of a procurement of a supply, at
25 least two (2) bids shall be solicited. A written determination
26 of the basis for the emergency and for the selection of the
27 particular contractor shall be included in the contract file.

28 (C.1) ADJUSTMENTS SHALL BE MADE AS FOLLOWS: ←

29 (1) THE DEPARTMENT OF LABOR AND INDUSTRY SHALL CALCULATE THE
30 AVERAGE ANNUAL PERCENTAGE CHANGE IN THE ALL ITEMS CONSUMER PRICE

1 INDEX FOR ALL URBAN CONSUMERS (CPI-U) FOR THE UNITED STATES CITY
2 AVERAGE AS PUBLISHED BY THE UNITED STATES DEPARTMENT OF LABOR,
3 BUREAU OF LABOR STATISTICS, FOR THE TWELVE-MONTH PERIOD ENDING
4 SEPTEMBER 30, 2012, AND FOR EACH SUCCESSIVE TWELVE-MONTH PERIOD
5 THEREAFTER.

6 (2) THE POSITIVE PERCENTAGE CHANGE, AS DETERMINED IN
7 ACCORDANCE WITH CLAUSE (1), SHALL BE MULTIPLIED BY THE AMOUNT
8 APPLICABLE UNDER SUBSECTION (C) FOR THE CURRENT PERIOD AND THE
9 PRODUCT THEREOF SHALL BE ADDED TO THE AMOUNT APPLICABLE UNDER
10 SUBSECTION (C) FOR THE CURRENT PERIOD, WITH THE RESULT ROUNDED
11 TO THE NEAREST MULTIPLE OF ONE THOUSAND DOLLARS (\$1,000).

12 (3) THE DETERMINATION REQUIRED UNDER CLAUSE (1) AND THE
13 CALCULATION ADJUSTMENTS REQUIRED UNDER CLAUSE (2) SHALL BE MADE
14 IN THE PERIOD BETWEEN OCTOBER 1 AND NOVEMBER 15 OF THE YEAR
15 FOLLOWING THE EFFECTIVE DATE OF THIS SUBSECTION, AND BETWEEN
16 OCTOBER 1 AND NOVEMBER 15 OF EACH SUCCESSIVE YEAR.

17 (4) THE ADJUSTED AMOUNTS OBTAINED IN ACCORDANCE WITH CLAUSE
18 (2) SHALL BECOME EFFECTIVE JANUARY 1 FOR THE PERIOD FOLLOWING
19 THE YEAR IN WHICH THE DETERMINATION REQUIRED UNDER CLAUSE (1) IS
20 MADE.

21 (5) THE DEPARTMENT OF LABOR AND INDUSTRY SHALL GIVE NOTICE
22 IN THE PENNSYLVANIA BULLETIN PRIOR TO JANUARY 1 OF EACH CALENDAR
23 YEAR IN WHICH THE PERCENTAGE CHANGE IS DETERMINED IN ACCORDANCE
24 WITH CLAUSE (1) OF THE AMOUNTS, WHETHER ADJUSTED OR UNADJUSTED
25 IN ACCORDANCE WITH CLAUSE (2), AT WHICH COMPETITIVE BIDDING IS
26 REQUIRED UNDER SUBSECTION (C) FOR THE PERIOD BEGINNING THE FIRST
27 DAY OF JANUARY AFTER PUBLICATION OF THE NOTICE.

28 (6) NO ADJUSTMENT TO THE BASE AMOUNTS SHALL EXCEED THREE
29 PERCENT OF THE MOST RECENTLY ADJUSTED BASE AMOUNT.

30 * * *

1 SECTION 4.1. SECTION 2010-A OF THE ACT, AMENDED APRIL 27, ←
2 1998 (P.L.270, NO.46), IS AMENDED TO READ:

3 Section 2010-A. Power and Duties of Institution
4 Presidents.--The president of each institution shall be
5 appointed by the board. The president shall be the chief
6 executive officer of that institution. He shall have the right
7 to attend all meetings of the council of that institution and
8 shall have the right to speak on all matters before the council
9 but not to vote. Subject to the stated authority of the board
10 and the council, each president shall have the following powers
11 and duties:

12 * * *

13 (10) Within the limitations of the operating budget and
14 other available funds in accordance with the procedures
15 established by the board and with the approval of the local
16 council, to negotiate and award all contracts for equipment,
17 services and supplies in excess of a cost of [ten thousand
18 dollars (\$10,000)] ~~twenty five thousand dollars (\$25,000)~~ A BASE ←
19 AMOUNT OF EIGHTEEN THOUSAND FIVE HUNDRED DOLLARS (\$18,500),
20 subject to adjustment under section ~~118~~ 119, ←
21 bid basis and to purchase instructional, educational,
22 extracurricular, technical, administrative, custodial and
23 maintenance equipment and supplies not in excess of a cost of
24 [ten thousand dollars (\$10,000)] ~~twenty five thousand dollars~~ ←
25 ~~(\$25,000)~~ A BASE AMOUNT OF EIGHTEEN THOUSAND FIVE HUNDRED ←
26 DOLLARS (\$18,500), subject to adjustment under section ~~118~~ 119, ←
27 without competitive bidding, except that such items shall not be
28 bought in series to avoid the dollar ceiling.

29 * * *

30 Section 5. This act shall apply to contracts and purchases

1 advertised on or after January 1 of the year following the
2 effective date of this section.

3 Section 6. This act shall take effect in 60 days.