

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## SENATE RESOLUTION

No. 207 Session of  
2013INTRODUCED BY FOLMER, WHITE, ALLOWAY AND SMUCKER,  
OCTOBER 15, 2013

SENATOR SMUCKER, STATE GOVERNMENT, AS AMENDED, DECEMBER 3, 2013

## A RESOLUTION

1 Directing the Joint State Government Commission to ESTABLISH AN <--  
2 ADVISORY COMMITTEE TO conduct a comprehensive study of the  
3 costs and efficiencies of the requirements under  
4 Pennsylvania's public construction laws.

5 WHEREAS, Public construction in this Commonwealth accounts  
6 for nearly \$36 billion annually in State spending; and

7 WHEREAS, Public construction includes a wide range of  
8 projects, including renovations to State government buildings  
9 and local school buildings; and

10 WHEREAS, Public construction constitutes a significant share  
11 of economic activity in this Commonwealth and is a major  
12 economic driver and job creator; and

13 WHEREAS, For more than 100 years, there have been no  
14 substantive changes to this Commonwealth's public construction  
15 laws; and

16 WHEREAS, During that period, as with every other industry in  
17 the United States, major changes have occurred with technology,  
18 management techniques and practices, materials and the need for  
19 greater energy efficiency in the design and construction

1 industry; and

2 WHEREAS, The Commonwealth, the design community, contractors,  
3 trades people and laborers would benefit from a thorough review  
4 and possible recommendations for stakeholders to consider  
5 potential changes to this Commonwealth's public construction  
6 laws; and

7 WHEREAS, The key principles of any changes to this  
8 Commonwealth's public construction laws shall include  
9 transparency, flexibility, accountability and efficiency;  
10 therefore be it

11 RESOLVED, That the Senate direct the Joint State Government  
12 Commission to establish ~~a task force~~ AN ADVISORY COMMITTEE to <--  
13 compare public and private construction projects to identify  
14 ways to improve public construction projects; and be it further

15 RESOLVED, That ~~the task force be appointed by the President~~ <--  
16 ~~pro tempore of the Senate, in consultation with the Majority~~  
17 ~~Leader and Minority Leader of the Senate, and the Speaker of the~~  
18 ~~House of the Representatives, in consultation with the Majority~~  
19 ~~Leader and Minority Leader of the House of Representatives, and~~  
20 ~~shall be comprised of two members of the Senate, two members of~~  
21 ~~the House of Representatives,~~ THE ADVISORY COMMITTEE BE <--

22 COMPRISED OF two representatives of contractors with one  
23 representing merit shops and one representing union contractors  
24 (both contractors should have the ability to work both as a  
25 contractor and as a construction manager with bonding and  
26 insurance capabilities), two representatives of trade unions,  
27 two merit shop contractors with more than 150 full-time  
28 employees, two attorneys who dedicate the majority of their  
29 practice time to construction law, two design industry  
30 representatives, three representatives of public agencies or

1 public sector owners specializing in the procurement process  
2 (one representative from the Pennsylvania Department of General  
3 Services, one representative from the Pennsylvania Department of  
4 Education and one representative from the Pennsylvania  
5 Department of Transportation) and two private sector owners who  
6 have built over \$50 million in fully private construction  
7 projects within the past three years; and be it further

8       RESOLVED, That the ~~task force~~ ADVISORY COMMITTEE review and <--  
9 analyze 20 Pennsylvania construction projects, ten privately bid  
10 and awarded, five bid and awarded by the Department of General  
11 Services and five bid and awarded by school districts, to  
12 compare the estimated original costs, bid costs, actual costs,  
13 number and amount of change orders and estimated completion  
14 dates and actual completion dates; and be it further

15       RESOLVED, That the Joint State Government Commission submit a  
16 report of the study to the Senate no later than ~~December 31,~~ <--  
17 ~~2014~~ 18 MONTHS AFTER ADOPTION OF THIS RESOLUTION. <--