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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 759 Session of  
2015

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INTRODUCED BY M. K. KELLER, PICKETT, GROVE, KAUFFMAN, LAWRENCE,  
MENTZER, MILLARD, MOUL AND SCHEMEL, MARCH 9, 2015

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REFERRED TO COMMITTEE ON URBAN AFFAIRS, MARCH 9, 2015

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AN ACT

1 Amending the act of May 1, 1913 (P.L.155, No.104), entitled "An  
2 act regulating the letting of certain contracts for the  
3 erection, construction, and alteration of public buildings,"  
4 increasing the minimum bid requirement; and providing for  
5 evasion of requirements.

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

8 Section 1. Section 1 of the act of May 1, 1913 (P.L.155,  
9 No.104), referred to as the Separations Act, amended December  
10 22, 1981 (P.L.546, No.159), is amended to read:

11 Section 1. (a) Be it enacted, &c., That hereafter in the  
12 preparation of specifications for the erection, construction,  
13 and alteration of any public building, when the entire cost of  
14 such work shall exceed [four thousand dollars] one hundred  
15 thousand dollars subject to annual adjustment under subsection  
16 (b), it shall be the duty of the architect, engineer, or other  
17 person preparing such specifications, to prepare separate  
18 specifications for the plumbing, heating, ventilating, and  
19 electrical work; and it shall be the duty of the person or

1 persons authorized to enter into contracts for the erection,  
2 construction, or alteration of such public buildings to receive  
3 separate bids upon each of the said branches of work, and to  
4 award the contract for the same to the lowest responsible bidder  
5 for each of said branches.

6 Every contract for the construction, reconstruction,  
7 alteration, repair, improvement or maintenance of public works  
8 shall comply with the provisions of the act of March 3, 1978  
9 (P.L.6, No.3), known as the "Steel Products Procurement Act."

10 (b) The Department of Labor and Industry shall adjust the  
11 amount at which competitive bidding is required in subsection  
12 (a) on March 1 of each year to conform with increases or  
13 decreases in the Consumer Price Index as published by the United  
14 States Department of Labor, Bureau of Labor Statistics for the  
15 previous calendar year for Urban Wage Earners in the combined  
16 area of Pennsylvania, New Jersey, Delaware and Maryland.

17 Section 2. The act is amended by adding a section to read:

18 Section 1.1. No person shall evade the provisions of section  
19 1 by purchasing or contracting for services and personal  
20 properties piecemeal to obtain prices under the required  
21 advertising price, subject to annual adjustment under section  
22 1(b). This provision is intended to make unlawful the making of  
23 a series of purchases or contracts each for less than the price  
24 to which section 1 applies, or by making several simultaneous  
25 purchases or contracts, each below said price, when in either  
26 case, the transactions involved should have been made as one  
27 transaction for one price. Any persons who violate this  
28 provision, and who know that the transaction in question is or  
29 ought to be a part of a larger transaction, and that it is being  
30 divided in order to evade the requirements of section 1, shall

1 be jointly and severally subject to surcharge for ten per centum  
2 of the full amount of the contract or purchase.

3 Section 3. This act shall apply to contracts and purchases  
4 advertised on or after the effective date of this section.

5 Section 4. This act shall take effect in 60 days.