

No. 1990-143

AN ACT

HB 2432

Amending the act of May 28, 1937 (P.L.955, No.265), entitled, as amended, "An act to promote public health, safety, morals, and welfare by declaring the necessity of creating public bodies, corporate and politic, to be known as housing authorities to engage in slum clearance, and to undertake projects, to provide dwelling accommodations for persons of low income; providing for the organization of such housing authorities; defining their powers and duties; providing for the exercise of such powers, including the acquisition of property by purchase, gift or eminent domain, the renting and selling of property, and including borrowing money, issuing bonds, and other obligations, and giving security therefor; prescribing the remedies of obligees of housing authorities; authorizing housing authorities to enter into agreements, including agreements with the United States, the Commonwealth, and political subdivisions and municipalities thereof; defining the application of zoning, sanitary, and building laws and regulations to projects built or maintained by such housing authorities; exempting the property and securities of such housing authorities from taxation; and imposing duties and conferring powers upon the State Planning Board, and certain other State officers and departments," further providing for competitive bids and for purchases that are not subject to advertisement and bidding; and providing a penalty.

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

Section 1. Section 11(b.2) of the act of May 28, 1937 (P.L.955, No.265), known as the Housing Authorities Law, added February 16, 1990 (P.L.67, No.13), is amended and the section is amended by adding a subsection to read:

Section 11. Awards of Contracts; Completion Bond; Additional Bond for Protection of Materialmen and Others.—

* * *

[(b.2) Written or telephonic price quotations from at least three qualified and responsible vendors shall be obtained for all purchases under ten thousand (\$10,000) dollars, or, in lieu of price quotations, a memorandum shall be kept on file showing that fewer than three qualified vendors so qualified 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 vendor and the vendor's representative, the item which was the subject of the quotation and the price of the item. Written price quotations, written records of telephonic price quotations and memoranda shall be retained for a period of three years.]

(b.2) Written or telephonic price quotations from at least three qualified and responsible contractors shall be requested for all contracts that exceed four thousand (\$4,000) dollars 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 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 years.

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(f) Any authority member who votes to unlawfully evade the provisions of this section and who knows that the transaction upon which he so votes is or ought to be a part of a larger transaction and that it is being divided in order to evade the requirements as to advertising for bids commits a misdemeanor of the third degree for each contract entered into as a direct result of that vote.

Section 2. This act shall take effect April 17, 1990, or immediately, whichever is later.

APPROVED—The 21st day of November, A. D. 1990.

ROBERT P. CASEY