

No. 368

AN ACT

Amending the act of May 4, 1927 (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," changing the provisions relating to bond required in awarding contracts.

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

The Borough Code.

Section 1. Subsection (c) of section 1316, act of May 4, 1927 (P. L. 519), known as "The Borough Code," reenacted and amended July 10, 1947 (P. L. 1621) and amended July 19, 1951 (P. L. 1026), is amended to read:

Subsection (c), section 1316, act of May 4, 1927, P. L. 519, reenacted and amended July 10, 1947, P. L. 1621 and amended July 19, 1951, P. L. 1026, further amended.

Section 1316. Regulation of Contracts.—

\* \* \* \* \*

(c) The successful bidder when advertising is required herein, shall be required to furnish a bond with suitable, reasonable requirements, guaranteeing the work to be done, with sufficient surety in the amount of fifty per centum of the amount of the liability under the contract, within twenty days after the contract has been awarded, unless council shall prescribe a shorter period of not less than ten days; and upon failure to furnish such bond, within such time, the previous award shall be void. *The above mandatory provisions of this subsection shall not apply to contracts for the purchase of motor vehicles or other pieces of equipment but shall apply only to contracts which involve the furnishing of labor and materials.* Deliveries, accomplishment and guarantees may be required in all cases of expenditures, including the exceptions herein.

\* \* \* \* \*

APPROVED—The 21st day of September, A. D. 1959.

DAVID L. LAWRENCE

No. 369

AN ACT

Amending the act of August 9, 1955 (P. L. 323), entitled "An act relating to counties of the third, fourth, fifth, sixth, seventh and eighth classes; amending, revising, consolidating and changing the laws relating thereto," changing the provisions relating to bond required in award contracts.

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

The County Code.

Subsection (g),  
section 1802, act  
of August 9,  
1955, P. L. 323,  
amended.

Section 1. Subsection (g) of section 1802, act of August 9, 1955 (P. L. 323), known as "The County Code," is amended to read:

Section 1802. Contract Procedures; Terms and Bonds; Advertising for Bids.—

\* \* \* \* \*

(g) The successful bidder, when advertising is required herein, shall be required to furnish a bond guaranteeing performance of the contract, with sufficient surety in the amount of fifty per centum of the amount of the contract within thirty days after the contract has been awarded, unless the commissioners shall prescribe a shorter period. Upon failure to furnish such bond within the time fixed, the previous awards shall be void. *The above mandatory provisions of this subsection shall not apply to contracts for the purchase of motor vehicles or other pieces of equipment but shall apply only to contracts which involve the furnishing of labor and materials.* Deliveries, performances and guarantees may be required in all cases of expenditures, including the exceptions herein.

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APPROVED—The 21st day of September, A. D. 1959.

DAVID L. LAWRENCE

No. 370

AN ACT

Amending the act of June 23, 1931 (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," providing that certain titles to real estate conveyed by cities shall be good and valid and free and clear of any defects unless proceedings to \*attack such sales are brought within a prescribed period.

The Third Class  
City Code.

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

Act of June 23,  
1931, P. L. 932,  
reenacted and  
amended June  
28, 1951, P. L.  
662, amended by  
adding a new  
section 2402.1.

Section 1. The act of June 23, 1931 (P. L. 932), known as "The Third Class City Code," reenacted and amended June 28, 1951 (P. L. 662), is amended by adding, after section 2402, a new section to read:

*Section 2402.1. Sale of Real Estate.—The title to real estate sold by any city after June 28, 1947, if the sale was authorized by an ordinance or resolution of the city council of said city, and not \*\*attacked in any proceeding instituted within six years of the effective date of this*

\* "attach" in original.

\*\* "attached" in original.