

No. 1996-148

A SUPPLEMENT

SB 857

To the act of July 11, 1996 (P.L.595, No.101), entitled "An act providing for the capital budget for the fiscal year 1996-1997," itemizing public improvement projects and furniture and equipment projects to be constructed or acquired by the Department of General Services, together with their estimated financial costs; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects to be constructed or acquired or assisted by the Department of General Services; stating the estimated useful life of the projects; and making appropriations.

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

Section 1. Short title.

This act shall be known and may be cited as the Capital Budget Project Itemization Act for 1996-1997.

Section 2. Total authorizations.

(a) Public improvements.—The total authorization for the additional capital projects in the category of public improvement projects itemized in section 3 and to be acquired or constructed by the Department of General Services, its successors or assigns and to be financed by the incurring of debt shall be \$50,941,000.

(b) Furniture and equipment.—The total authorization for the additional capital projects in the category of public improvement projects consisting of the acquisition of original movable furniture and equipment to complete public improvement projects itemized in section 4 and to be acquired by the Department of General Services, its successors or assigns and to be financed by the incurring of debt shall be \$128,089,000.

Section 3. Itemization of public improvement projects.

Additional capital projects in the category of public improvement projects to be constructed or acquired by the Department of General Services, its successors or assigns and to be financed by the incurring of debt are hereby itemized, together with their respective estimated financial costs, as follows:

Project	Total Project Allocation
(1) Office of Administration	\$50,941,000
(i) Statewide Mobile Radio and Microwave System	
(A) Communication and information infrastruc- ture, including approximately 200 sites located throughout this Commonwealth for transmission of voice and data communication	

connected by a digital microwave system to form a Statewide mobile radio network, land acquisition, antennas and site equipment enclosures 50,941,000
 (Base Project Allocation - \$38,615,000)
 (Design and Contingencies - \$11,826,000)
 (Land Allocation - \$500,000)

Section 4. Itemization of furniture and equipment projects.

Additional capital projects in the category of public improvement projects consisting of the acquisition of movable furniture and equipment to complete public improvement projects and to be purchased by the Department of General Services, its successors or assigns and to be financed by the incurring of debt are hereby itemized, together with their respective estimated financial costs, as follows:

Project	Total Project Allocation
(1) Office of Administration	\$128,089,000
(i) Statewide Mobile Radio and Microwave System	
(A) Original furniture and equipment for communication and information infrastructure, including radio base stations, network controllers, message switching systems, system alarms and diagnostics and emergency generators	128,089,000

Section 5. Debt authorization.

(a) Public improvements.—The Governor, Auditor General and State Treasurer are hereby authorized and directed to borrow from time to time in addition to any authorization heretofore or hereafter enacted, on the credit of the Commonwealth, subject to the limitations provided in the current capital budget, money not exceeding in the aggregate the sum of \$50,941,000 as may be found necessary to carry out the acquisition and construction of the public improvement projects specifically itemized in a capital budget.

(b) Furniture and equipment.—The Governor, Auditor General and State Treasurer are hereby authorized and directed to borrow from time to time in addition to any authorization heretofore or hereafter enacted, on the credit of the Commonwealth, subject to the limitations provided in the current capital budget, money not exceeding in the aggregate the sum of \$128,089,000 as may be found necessary to carry out the public improvement projects consisting of the acquisition of original movable furniture and equipment specifically itemized in a capital budget.

Section 6. Issue of bonds.

The indebtedness authorized in this act shall be incurred from time to time and shall be evidenced by one or more series of general obligation bonds of the Commonwealth in such aggregate principal amount for each series as the Governor, the Auditor General and the State Treasurer shall determine, but

the latest stated maturity date shall not exceed the estimated useful life of the projects being financed as stated in section 7.

Section 7. Estimated useful life and term of debt.

(a) Estimated useful life.—The General Assembly states that the estimated useful life of the public improvement projects itemized in this act is as follows:

(1) Public improvement projects, 30 years.

(2) Furniture and equipment projects, ten years.

(b) Term of debt.—The maximum term of the debt authorized to be incurred under this act is 30 years.

Section 8. Appropriations.

(a) Public improvements.—The net proceeds of the sale of the obligations authorized in this act are hereby appropriated from the Capital Facilities Fund to the Department of General Services in the maximum amount of \$50,941,000 to be used by it exclusively to defray the financial cost of the public improvement projects specifically itemized in a capital budget. After reserving or paying the expenses of the sale of the obligation, the State Treasurer shall pay to the Department of General Services the moneys as required and certified by it to be legally due and payable.

(b) Furniture and equipment.—The net proceeds of the sale of the obligations authorized in this act are hereby appropriated from the Capital Facilities Fund to the Department of General Services in the maximum amount of \$128,089,000 to be used by it exclusively to defray the financial cost of the public improvement projects consisting of the acquisition of original movable furniture and equipment specifically itemized in a capital budget. After reserving or paying the expenses of the sale of the obligation, the State Treasurer shall pay to the Department of General Services the moneys as required and certified by it to be legally due and payable.

Section 9. Federal funds.

In addition to those funds appropriated in section 8, all moneys received from the Federal Government for the projects specifically itemized in this act are also hereby appropriated for those projects.

Section 10. Special contract provisions.

(a) Architects and engineers.—Notwithstanding the provisions of section 2401.1 of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, regarding the selection of architects and engineers, the Office of Administration may select qualified architects and engineers through a request for proposal process for the projects contained in sections 3(1)(i)(A) and 4(1)(i)(A) for a communication and information infrastructure. The contract may be awarded on the basis of the best interest of the Commonwealth to a responsive and responsible proposer. Although cost shall be considered as a factor, it need not be the determining factor.

(b) Award.—Notwithstanding any provisions of law to the contrary, the Office of Administration may solicit, through a request for proposals, and award contracts for the construction of projects contained in sections

3(1)(i)(A) and 4(1)(i)(A) for a communication and information infrastructure. The contract may be awarded on the basis of the best interest of the Commonwealth to a responsive and responsible proposer. Although cost shall be considered as a factor, it need not be the determining factor.

(c) Contracts.—The projects itemized in sections 3(1)(i)(A) and 4(1)(i)(A) are exempt from the provisions of the first paragraph of section 1 of the act of May 1, 1913 (P.L.155, No.104), entitled “An act regulating the letting of certain contracts for the erection, construction, and alteration of public buildings.”

Section 11. Editorial changes.

In editing and preparing this act for printing following the final enactment, the Legislative Reference Bureau shall insert or revise letters or numbers for projects where the letters or numbers are missing or require revision. The bureau shall also revise the total monetary amounts for the total authorization, debt authorization, appropriations and departmental totals as necessary to agree with the total monetary amounts of the projects.

Section 12. Effective date.

This act shall take effect immediately.

APPROVED—The 5th day of December, A.D. 1996.

THOMAS J. RIDGE