

## No. 1996-181

## AN ACT

HB 2314

Amending the act of May 1, 1933 (P.L.103, No.69), entitled, as reenacted and amended, "An act concerning townships of the second class; and amending, revising, consolidating and changing the law relating thereto," further providing for letting contracts.

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

Section 1. Section 3102(a) and (g) of the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, reenacted and amended November 9, 1995 (P.L.350, No.60), are amended to read:

Section 3102. Letting Contracts.—(a) All contracts or purchases in excess of the required advertising amount of ten thousand dollars (\$10,000), except those specifically excluded, shall not be made except with and from the lowest responsible bidder after due notice in one newspaper of general circulation in the township. The notice for bids shall be published at least two times at intervals of not less than three days in daily newspapers or once a week for two successive weeks in weekly newspapers. The first advertisement shall be published not more than forty-five days, and the second advertisement not less than ten days, before the date set for the opening of bids. Notice of proposed contracts or purchases shall also be posted where the board of supervisors normally meets or in a conspicuous place within the township. Any published notice for bids shall contain full plans and specifications, or refer to the places where copies thereof can be obtained, *state the amount of the performance bond determined under subsection (g)* and give the date, time and place of a meeting at which an individual or committee appointed by the board of supervisors or the board of supervisors will open and read the bids.

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(g) Unless covered under the bonding requirements of the act of December 20, 1967 (P.L.869, No.385), known as the "Public Works Contractors' Bond Law of 1967," the successful bidder shall furnish a bond guaranteeing performance of the contract, in **[the amount of fifty percent]** *an amount as determined by the supervisors at the time of advertising for bids which shall be not less than ten percent nor more than one hundred percent* of the amount of the contract, within twenty days after the contract is awarded. If the bidder fails to furnish the bond within twenty days, unless delivery is made or the entire contract is fulfilled during that time, the

contract is void. Delivery, accomplishment and guarantees may be required in all cases, including the exceptions contained in this section.

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Section 2. This act shall take effect in 60 days.

APPROVED—The 19th day of December, A.D. 1996.

THOMAS J. RIDGE