

## No. 1981-160

## AN ACT

## HB 1636

Amending the act of January 22, 1968 (P.L.42, No.8), entitled, as amended, "An act empowering and authorizing the Department of Transportation to establish and administer certain grant programs for the betterment of mass transportation systems and facilities throughout the Commonwealth; providing for State grants to transportation companies, municipalities, counties, or their instrumentalities and to agencies and instrumentalities of the Commonwealth for studies, research, demonstration programs, promotion programs, purchase of service projects, and capital improvement projects under certain conditions; authorizing grants by counties or municipalities in metropolitan areas to local transportation organizations, authorizing the creation of a transportation authority to function in each metropolitan area consisting of any county of the first class and all nearby counties within a radius of twenty miles of any such first class county, as a body corporate and politic for the purpose of establishing an integrated mass transportation system with all pertinent powers including, but not limited to, leasing, acquiring, owning, operating and maintaining a system for, or otherwise providing for, the transportation of persons, authorizing the borrowing of money and issuance of bonds therefor, conferring the right of eminent domain on the authority; altering the jurisdiction of the Public Utility Commission, authorizing the acceptance of grants from Federal, State and local governments, limiting actions against the authority and exempting it from taxation, authorizing counties and municipalities to enter into compacts for the financing of each authority and to make appropriations in accordance with such compacts, creating a citizen advisory committee, conferring exclusive jurisdiction upon certain courts with respect to matters relating to such authority, empowering each authority to function outside of the metropolitan area under certain terms and conditions," further providing for contracts, procurement and sale of property and competition in award of contracts.

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

Section 1. Subsections (c), (d) and (f) of section 332, act of January 22, 1968 (P.L.42, No.8), known as the "Pennsylvania Urban Mass Transportation Law," added July 10, 1980 (P.L.427, No.101), are amended to read:

Section 332. Contracts, Procurement and Sale of Property; Concessions; Advertisement; Bidding.—\* \* \*

(c) Written price quotations from at least three qualified and responsible vendors shall be obtained for all purchases and sales under \$10,000 and over ~~[\$2,500]~~ \$4,000, or in lieu thereof, a memorandum, approved by the chief operations officer, shall be kept on file showing that less than three vendors so qualified exist in the market area within which it is practicable to obtain quotations; except as hereinafter provided.

(d) Purchases or sales under ~~[\$2,500]~~ \$4,000 may be negotiated with or without competitive bidding under sound procurement procedures as promulgated and established by the chief operations officer.

\* \* \*

(f) All concessions granted by the authority for the sale of products or the rendition of services for a consideration on authority property shall be awarded only pursuant to written specifications after competitive bidding and to the highest responsible bidder in a manner similar to that required by subsection (e) relating to contracts for procurement involving an expenditure of more than \$10,000: Provided, That the foregoing requirement for competitive bidding shall not apply to any concession which has been granted by a transportation system acquired by the authority and which by the terms of the agreement granting it will terminate within one year from date of the acquisition of the transportation system by the authority, nor to any concession involving the estimated receipt by the authority of less than [2,500] \$4,000 over the period for which the concession is granted.

\* \* \*

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

APPROVED—The 22nd day of December, A. D. 1981.

DICK THORNBURGH