

No. 1986-148

## AN ACT

SB 1421

Amending the act of July 12, 1972 (P.L.762, No.180), entitled "An act relating to intergovernmental cooperation," further providing for direct purchases from certain vendors or suppliers of goods; and providing for joint purchases with certain schools and private agencies.

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

Section 1. The act of July 12, 1972 (P.L.762, No.180), referred to as the Intergovernmental Cooperation Law, is amended by adding sections to read:

*Section 7.2. In addition to joint purchases authorized by section 7.1, municipalities are further authorized to make direct purchases from vendors or suppliers of goods, materials or equipment without compliance with existing and otherwise applicable statutory requirements governing competitive bidding and execution of contracts, as follows:*

*(1) Any county may by appropriate resolution, and subject to such reasonable regulations as it may prescribe, permit any municipality within the county to participate in or purchase off contracts for goods, materials or equipment entered into by the county.*

*(2) Any municipality desiring to participate in such purchase contracts shall file with the county purchasing agency and with the county solicitor a certified copy of an ordinance or resolution of its governing body requesting that it be authorized to participate in purchase contracts of the county and agreeing that it will be bound by such terms and conditions as the county may, and as hereafter provided shall, prescribe and that it will be responsible for payment directly to the vendor under each purchase contract.*

*(3) The county may permit such participation by municipalities only where the solicitation for bids and specifications for such county contracts, and such contracts themselves, expressly provide for and inform prospective and successful bidders that the contract to be let is intended to be subject to this act and to regulations adopted by the county hereunder.*

*(4) Among such terms and conditions as the county may specify, it shall prescribe that all prices shall be F.O.B. destination.*

*Section 7.3. Any county or municipality may, by ordinance, authorize joint purchases of materials, supplies and equipment with any private school, parochial school, private college or university or nonprofit human services agency within the county or municipality as the case may be. Any such ordinance shall require that the school, college or agency shall be bound by the terms and conditions of purchasing agreements as the county or municipality shall prescribe and that the school, college or agency shall be responsible for payment directly to the vendor under each purchase contract. Schools, colleges and agencies shall be exempt from any existing statutory*

*requirements governing competitive bidding and execution of contracts with respect to purchases under this section.*

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

APPROVED—The 28th day of November, A. D. 1986.

DICK THORNBURGH