

No. 1978-95

## AN ACT

## HB 1825

Amending the act of June 24, 1931 (P.L. 1206, No. 331), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," further providing for the accepting of bids, the awarding of contracts, and for certain steel products.

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

Section 1. Subsection (b) of section 1802, act of June 24, 1931 (P.L. 1206, No. 331), known as "The First Class Township Code," reenacted and amended May 27, 1949 (P.L. 1955, No. 569), and amended April 28, 1961 (P.L. 144, No. 69), is amended to read:

Section 1802. General Regulations Concerning Contracts.—\* \* \*

(b) In every instance in which any contract for any public work, construction, materials, supplies, or other matters or things for any township shall be awarded upon competitive bids, it shall be the duty of the authorities authorizing the same to award said contract to the lowest responsible bidder. Any published notice for bids shall contain full plans and specifications, or refer to the places where copies thereof can be obtained, and give the time and place of a public meeting of a committee, appointed by the township commissioners or an open meeting of the township commissioners, at which committee or commissioners meeting, bids shall be publicly opened and read, **[but the contract not] and if it is an open meeting of the township commissioners, the contract may be awarded.** If, through lack of a quorum or other reason, no meeting shall be held at such time and place, notice of the same kind shall be repeated once at least six days before the meeting of the subsequent time and place fixed, and the foregoing provisions as to bids shall apply. The same course shall be pursued until a meeting of a committee or the commissioners shall actually be held for receiving and opening bids. **[At a subsequent meeting of the township commissioners, after the opening of the bids, the contract shall be awarded.]** Any contract made in violation of the provisions hereof shall be void. But nothing herein contained shall prevent the making of contracts for governmental services for a period exceeding one year, but any contract so made shall be executory only for the amounts agreed to be paid for such services to be rendered in succeeding fiscal years: Provided, That if, prior to the letting of any contract, taxpayers of the township, whose property valuation as assessed for taxable purposes within the township shall amount to sixty per centum or over of the total property valuation as assessed for taxable purposes within the township, shall sign and file, with the township secretary of the board, a written protest against

such contemplated contract, then such contract shall not be let. *Every contract for the construction, reconstruction, repair, improvement or maintenance of public works shall contain a provision that any steel products used or supplied in the performance of the contract or any subcontracts thereunder shall be from steel made in the United States. The provisions of this act shall be construed in a manner consistent with the act of March 3, 1978 (No.3), known as the "Steel Products Procurement Act."*

\* \* \*

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

Office of the Secretary of the Commonwealth

June 30, 1978

I do certify that the above bill, entitled "An act amending the act of June 24, 1931 (P.L.1206, No.331), entitled 'An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto,' further providing for the accepting of bids, the awarding of contracts, and for certain steel products," was presented to the Governor on the twentieth day of June, one thousand nine hundred and seventy-eight, and was not returned within ten days after it had been presented to him, wherefore it has, agreeably to the Constitution of this Commonwealth, become a law in like manner as if he had signed it.

BARTON A. FIELDS  
Secretary of the Commonwealth

*Note.* The date of final enactment of Act No. 1978-95 is June 30, 1978.